

Tuesday, December 20, 1960
Agrahayana 29, 1882(Saka)

LOK SABHA DEBATES

Second Series

Volume XLIX, 1960/1882 (*Saka*)

[*December 12 to 23, 1960/Agrahayana 21 to Pausa 2, 1882 (Saka)*]



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LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

[Second Series, Volume XLIX, December 12 to 23, 1960/*Agrahayana* 21 to *Pausa* 2, 1882
(*Saka*)]

No. 21.—*Monday, December 12, 1960/Agrahayana* 21, 1882 (*Saka*).

COLUMNS

Oral Answers to Questions—

Starred Questions Nos. 830 to 836, 838, 840 and 841 4943—74

Written Answers to Questions—

Starred Questions Nos. 837, 839 and 842 to 865 4974—89

Unstarred Questions Nos. 1621 to 1700 4989—5038

Obituary Reference 5039

Paper laid on the Table 5039

Report of Committee of Privileges—

Eleventh Report 5039

Report of Public Accounts Committee—

Thirty-second Report 5040

Calling Attention to Matter of Urgent Public Importance—

Appointment of Shri A.K. Chanda as Chairman Finance Commission 5040—52

Correction of answer to S.Q. No. 269 5042—43

Statement *re*. Situation in Congo 5043—58

Statement *re*. Dacoity at Bhairapur in Silchar 5058—60

Election to Committee—

Council of Indian Institute of Science, Bangalore 5060—61

Railway Passenger Fares (Amendment) Bill—

Motion to consider 5061—72

Clauses 2 and 1 5061—71

Motion to pass 5072

Tripura Excise Law (Repeal) Bill— 5072—80

Motion to consider 5072—79

Clauses 2, 3 and 1 5079—80

Motion to pass 5080

Prevention of Cruelty to Animals Bill—

Motion to consider, as passed by Rajya Sabha 5080—5160

Business Advisory Committee—

Fifty-ninth Report 5160

Daily Digest 5161—68

No. 22.—*Tuesday, December 13, 1960/Agrahayana* 22, 1882 (*Saka*).

Oral Answers to Questions—

Starred Questions Nos. 866 to 870, 872 to 874, 876 to 878 and 886 5169—5206

COLUMNS

Written Answers to Questions—

Starred Questions Nos. 871, 875, 879 to 885, and 887 to 891 .	5206—15
Unstarred Questions Nos. 1701 to 1772	5215—63

<i>Re. Motion for Adjournment</i>	5263
Papers laid on the Table	5263—67
Messages from Rajya Sabha	5267—68

Dowry Prohibition Bill—

Laid on the Table as returned by Rajya Sabha	5268
--	------

Children Bill—

Laid on the Table as passed by Rajya Sabha	5268
--	------

Calling Attention to Matter of Urgent Public Importance—

Difficulties faced by Woollen Mills as a sequel to Government Order.	5269—71
--	---------

Business Advisory Committee—

Fifty-ninth Report	5271—72
Prevention of Cruelty to Animals Bill	5272—99
Motion to consider, as passed by Rajya Sabha	5272—87
Clauses 2 to 41 and 1	5287—98
Motion to pass	5298—99

Industrial Employment (Standing Orders) Amendment Bill—

Motion to consider	5299—5349
------------------------------	-----------

Motions <i>re.</i> Publication on the Public Sector Industries and Public Sector Undertakings.	5349—5407
--	-----------

Indian Tariff (Amendment) Bill — Introduced	5407—12
---	---------

Daily Digest	5413—20
------------------------	---------

No.23.—*Wednesday, December 14, 1960/Agrahayana 23, 1882 (Saka).*

Oral Answers to Questions—

Starred Questions Nos. 892 to 894, 896, 897, 899, 902 to 904 and 907 to 916	5421—56
---	---------

Written Answers to Questions—

Starred Questions No. 895, 898, 900, 901, 905 and 906	5406—60
Unstarred Questions Nos. 1773 to 1936	5460—96

<i>Re. Motion for Adjournment</i>	5497
---	------

Motions for Adjournment—

Supreme Court judgement <i>re.</i> U.P. Sugarcane Cess Act, 1956	5497—5502
--	-----------

Papers laid on the Table	5503
------------------------------------	------

Committee on Private Member's Bills and Resolutions—

Seventy-fourth Report	5503
---------------------------------	------

Estimates Committee—

Hundred-first Report	5503
--------------------------------	------

Industrial Employment (Standing Orders) Amendment Bill	5504—07
--	---------

Motion to consider	5504
------------------------------	------

Clauses 2 to 6 and 1	5505—07
--------------------------------	---------

Motion to pass	5507
--------------------------	------

Maternity Benefit Bill—

Motion to refer to Joint Committee	5507—56
--	---------

Preference Shares (Regulation of Dividends) Bill	5556—73
--	---------

Motion to consider, as reported by Select Committee	5556—73
---	---------

	COLUMNS
Clauses 2 to 7 and 1	5573
Motion to pass	5573
Motor Transport Workers Bill—	
Motion to consider, as reported by Joint Committee	5573—75
Motion <i>re.</i> Publication on the Public Sector Industries and Public Sector Undertakings	5575—5656
Daily Digest	5657—62
No. 24. <i>Thursday, December 15, 1960/Agrahayana 24, 1882 (Saka)</i>	
Oral Answers to Questions—	
Starred Questions Nos. 917 to 920, 922 to 926 and 929	5663—98
Written Answers to Questions—	
Starred Questions Nos. 921, 927, 928 and 930 to 943	5698—5709
Unstarred Questions Nos. 1837 to 1863 and 1870 to 1899	5709—45
Papers laid on the Table	5745—46
Message from Rajya Sabha	5746—47
Committee on Absence of Members from the Sitzings of the House—	
Twenty-second Report	5747
Petition <i>re.</i> proposed division of Berubari Union between India and Pakistan	5747
Calling attention to Matter of Urgent Public Importance—	
Killing of two sepoys of Manipur Rifles by Naga Hostiles	5747—51
Motor Transport Workers Bill—	
Motion to consider, as reported by Joint Committee	5751—5819
Clauses 2 to 40 and 1	5811—19
Motion to pass	5819
Motion <i>re.</i> Report of Neyveli Lignite Corporation Limited	5820—74
Half-an-Hour Discussion <i>re.</i> Raw Materials Committee	5875—88
Daily Digest	5889—94
No. 25.— <i>Friday, December 16, 1960/Agrahayana 25, 1882 (Saka)</i>	
Oral Answers to Questions—	
Starred Questions Nos. 944, 945, 947 to 953, 957, 958, 960 and 961	5895—5930
Written Answers to Questions—	
Starred Questions Nos. 946, 954 to 956, 959 and 962 to 967	5930—37
Unstarred Questions Nos. 1900 to 1958	5937—73
Motion for Adjournment and Calling Attention to Matter of Urgent Public Importance	
Dismissal of Nepalese Cabinet by the King of Nepal	5973—78
Papers laid on the Table	5978
Estimates Committee—	
Ninety-eighth Report	5978
Calling Attention to Matter of Urgent Public Importance—	
Strike by workers of the Rourkela Plant	5979—80
Business of the House	5980—81
<i>Re.</i> Point of Order	5981—83
Acquired Territories (Merger) Bill—Introduced	5983—6006
Constitution (Ninth Amendment) Bill—Introduced	6006—14
Indian Traffi (Amendment) Bill—	
Motion to consider	6013—44
Clauses 2 and 1	6025
Motion to pass.	6025—44

Committee on Private Members' Bills and Resolutions—

Seventy-fourth Report	6044-45
Resolution <i>re.</i> Nationalisation of General Insurance—Negatived	6045-46
Resolution <i>re.</i> New Marking System of Voting—Withdrawn	6046-6116
Resolution <i>re.</i> Enhancement of Rate of Contribution under the Coal Mines Provident Fund Scheme	6116

Business Advisory Committee—

Sixtieth Report	6117-18
Daily Digest	6119-24

No. 26.—*Monday, December 19, 1960/Agrahayana 28, 1882 (Saka)*

Member sworn	6125
------------------------	------

Oral answers to questions—

Starred Questions Nos. 958 to 972 and 974 to 978	6125-59
Short Notice Question No. 4	6159-62

Written Answers to Questions—

Starred Questions Nos. 973 and 979 to 997	6162-74
Unstarred Questions Nos. 1959 to 2047	6174-6225
Papers laid on the Table	6226
Messages from Rajya Sabha	6226-28
Salar Jung Museum Bill—	
Laid on the Table, as passed by Rajya Sabha	6228

Bills introduced —

1. Industrial Finance Corporation (Amendment) Bill	6228
2. Telegraph Laws (Amendment) Bill	6229

Business Advisory Committee—

Sixtieth Report	6229-30
Leave of Absence	6229-32
Correction in result of Division	6231-32
Acquired Territories (Merger) Bill and Constitution (Ninth Amendment) Bill—	
Motion to consider	6233-6351
Half-an-Hour Discussion <i>re.</i> Assistant Superintendent's Examinations	6352-72
Daily Digest	6373-80

No. 27.—*Tuesday, December 20, 1960/Agrahayana 29, 1882 (Saka)*

Member Sworn	6381-82
------------------------	---------

Oral Answers to Questions—

Starred Questions Nos. 998 to 1003 and 1005 to 1008	6382-6415
Short Notice Questions Nos. 5 to 7	6415-26

Written Answers to Questions—

Starred Questions Nos. 1004 and 1009 to 1026	6426-36
Unstarred Questions Nos. 2048 to 2121	6436-76
Papers laid on the Table	6477
Estimates Committee—	
Ninety-ninth Report	6477-78

Calling Attention to Matter of Urgent Public Importance—

Offensive launched by in Jotedars against Kurfa sub-tenents in Tripura	6478-79
Statement re. Situation Laos	6479

Acquired Territories (Merger) Bill and Constitution (Ninth Amendment) Bill	
Motions to consider	6480-6577

Clauses 2, 3, the First and Second Schedules and Clause 1 of the Constitution (Ninth Amendment) Bill	6577-6603
--	-----------

Clauses 2 to 11, the First and Second Schedules of the Acquired Territories (Merger) Bill	6609-10
---	---------

Motions to pass.	6604-09, 6610
------------------	---------------

Half-an-Hour Discussion re. Central Institute of Fisheries Education	6610-28
--	---------

Daily Digest	6629-36
--------------	---------

No. 28.—*Wednesday, December 21, 1960/Agrahayana 30, 1882 (Saka)*

Oral Answers to Questions—

Starred Questions Nos. 1028 to 1038 and 1045-A	6637-73
--	---------

Written Answers to Questions—

Starred Questions Nos. 1027, 1039, 1040, 1040-A, 1041, 1041-A, 1042 to 1045 1048 to 1052, 1052-A and 1053	6674-87
---	---------

Unstarred Questions Nos. 2122 to 2202, 2204 to 2219, 2221 to 2224 and 2224-A	6687-6750
--	-----------

Papers laid on the Table	6750-51
--------------------------	---------

Messages from Rajya Sabha	6752
---------------------------	------

Committee on Private Members' Bills and Resolutions—

Seventy-fifth Report	6752
----------------------	------

Public Accounts Committee—

Thirty-first Report	6753
---------------------	------

Calling Attention to Matter of Urgent Public Importance—

Prevalence of slavery in NEFA	6753-56
-------------------------------	---------

Statement re. Cloth Prices.	6756-66
-----------------------------	---------

Marking of Heavy Packages (Amendment) Bill—Introduced	6766
---	------

Re. Business of the House	6766-68
---------------------------	---------

Industrial Finance Corporation (Amendment) Bill	6767-6835
---	-----------

Motion to consider	6829-35
--------------------	---------

Clauses 2 to 8 and 1	
----------------------	--

Motion to pass	6835
----------------	------

Motion re. Report of Intermediate Ports Development Committee	6835-92
---	---------

Discussion re. Appointment of Shri A.K. Chanda, as Chairman, Finance Commission	6892-6957
---	-----------

Re. Half-an-Hour Discussion —	6951-54
-------------------------------	---------

Daily Digest	6955-62
--------------	---------

No. 29.—*Thursday, December 22, 1960/Pausa 1, 1882 (Saka)*

Oral Answers to Questions—

Starred Questions Nos. 1054 to 1059, 1061, 1062, 1064, 1065, 1067 and 1068	6963-99
--	---------

Short Notice Questions Nos. 8 to 10	6999-7006
-------------------------------------	-----------

Written Answers to Questions—

Starred Questions Nos. 1060, 1063, 1066 and 1069 to 1079	7006—14
Unstarred Questions Nos. 2225 to 2274 and 2276 to 2311	7014—65
<i>Re.</i> Motion for Adjournment	7065—66
Papers laid on the Table	7066—67
Messages from Rajya Sabha	7067—68

Committee on Private Members' Bills and Resolutions—

Minutes	7068
Business of the House	7069

Committee on Absence of Members from the Sitzings of the House—

Minutes	7070
---------	------

Committee on Petitions—

Minutes and Eleventh Report	7070
-----------------------------	------

Estimates Committee—

Hundred and Second Report	7070
---------------------------	------

Calling Attention to Matter of Urgent Public Importance—

Reported discovery of Oil at Rudrasagar, Assam	7071
Statement <i>Re.</i> Discussion with E.N.I.'s Team	7071—75

Children Bill—

Motion to consider, as passed by Rajya Sabha	7075—7167
--	-----------

Half-an Hour Discussion <i>re.</i> Implementation of Election Commission Recommendations	7168—82
--	---------

Half-an-Hour Discussion <i>re.</i> State Trading Corporation	7182—94
--	---------

Daily Digest	7195—7200
--------------	-----------

No. 30—Friday, December, 23, 1960/Pausa 2, 1882 (*Saka*)

Oral Answers to Questions—

Starred Questions Nos. 1080 to 1089, 1091 to 1093 and 1097	7201—39
Short Notice Questions Nos. 11 to 14	7239—55

Written Answers to Questions—

Starred Questions Nos. 1090, 1095, 1096 and 1098 to 1106	7255—62
Unstarred Questions Nos. 2312 to 2403	7262—7323

Obituary reference	7323
--------------------	------

Papers laid on the Table	7323—26
--------------------------	---------

Synopsis of Proceedings of Committees on Drafts Third Five Year Plan	7326—29
--	---------

Committee on Subordinate Legislation—

Minutes and Tenth Report	7330
--------------------------	------

Calling Attention to Matter of Urgent Public Importance—

(1) Oil Refinery in Gujarat	7330—37
(2) Demolition of huts of Scheduled Castes people in Delhi	7337—38
(3) Rehabilitation grant to displaced persons in Jammu and Kashmir States and	7338
(4) Scheme regarding movement of refugees to Dandakaranya	7338

Bills introduced—

(1) Criminal Law Amendment Bill	7338
(2) Two-Member Constituencies (Abolition) Bill	7339
(3) Specific Relief Bill	7339
(4) Limitation Bill	7339—40

	COLUMNS
Children Bill	7340—58
Motion to consider, as passed by Rajya Sabha	7340—57
Clauses 2 to 60 and 1	[7352
Motion to pass	7352—58
Telegraph Laws (Amendment) Bill	7358—72
Motion to consider	7358—72
Clauses 2 to 5* and 1	7372
Motion to pass	7372
British Statutes (Application to India) Repeal Bill	7372—77
Motion to consider, as passed by Rajya Sabha	7372—77
Clauses 2, 3 and 1	7377
Motion to pass	7377
Repealing and Amending Bill, as passed by Rajya Sabha—Passed .	7378
Committee on Private Members' Bills and Resolutions—	
Seventy-fifth Report *.	7379
Junior Artistes' (Regulation of Employment) Bill by <i>Shri Narayan Ganesh Goray</i> —	
Introduced	7379
Prevention of Cow Slaughter (for Union Territories) Bill by <i>Pandit Brij Narayan 'Brijesh'</i> —	
Leave for introduction not granted	7379—82
Indian Institute of Archaeology Bill by <i>Shri C.R. Narasimhan</i> —Withdrawn .	7397
Motion to circulate	7382—97
Code of Criminal Procedure (Amendment) Bill (<i>Amendment of section 198</i>) by <i>Shrimati Subhadra Joshi</i> —	
Amendments made by Rajya Sabha agreed to	7397—98
Code of Criminal Procedure (Amendment) Bill (<i>Amendment of sections 107, 129, 144 and insertion of New section 131 A</i>) by <i>Shri K. T. K. Tangamani</i> —	
Motion to consider	7398—7444
Half-an-Hour discussion re: Children of Political sufferers	7444—63
Valedictory Reference	7463—64
Daily Digest	7465—74
Resume of the Twelfth Session	7475—76

N.B.—The sign + above a name of a member on question which are orally answered, indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA

Tuesday, December 20, 1960/Agrahayana 29, 1882 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

MEMBER SWORN

Mr. Speaker: I have to inform the House that Shri Nariendra Kumar who has been declared elected to Lok Sabha from Nagaur constituency of Rajasthan, vice Shri Mathura Das Mathur who resigned, will now make and subscribe the oath and take his seat in the House.

Shri Nariendra Kumar (Nagaur) then made and subscribed the oath and took his seat in the House.

Mr. Speaker: I have noticed in certain Parliaments that a new Member who comes to the Parliament is introduced to the House. Yesterday, when some Member came and took the oath and I asked that his name should be announced as also the constituency from which he is returned, I found that the House welcomed it. That is why I have devised this formula. I would prefer if the Minister of Parliamentary Affairs will introduce to the House whosoever is elected hereafter.

Shri Braj Raj Singh: He is not available today.

Mr. Speaker: He is not available today, but I will give intimation. The Leader of the House may or may not
1667 (Ai) LS—1.

be available, but the Minister of Parliamentary Affairs may formally introduce a Member as having been returned to this House from such and such constituency.

Shri Raghunath Singh: That is very good.

Mr. Speaker: And then I will ask him to make the oath and then take his seat. When once he takes his seat he becomes a Member of the House, not until then. Therefore, let us observe this formality. There is something in this.

ORAL ANSWERS TO QUESTIONS

Sangeet Natak Akademi

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*998. { **Shri S. M. Banerjee:**
Shri Bhakt Darshan:
Shri Agadi:
Shri Sugandhi:
Kumari M. Vedakumari:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 443 on the 17th August, 1960 and state:

(a) whether the enquiry into the alleged irregularities in the accounts of Sangeet Natak Akademi has since been completed; and

(b) if so, the result of this enquiry?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Not yet, Sir.

(b) Does not arise.

Shri S. M. Banerjee: May I know whether the enquiry is likely to be concluded soon and, if so, when?

Shri Humayun Kabir: In answer to the same question on the last occasion I said that we have asked the Special Police to conduct the enquiry as expeditiously as possible and that we want the report as soon as they can give it to us.

Shri S. M. Banerjee: May I know whether it is a fact that the Secretary of the Sangeet Natak Akademi has resigned; if so, what were the reasons, and whether this was one of the reasons why he resigned?

Shri Humayun Kabir: This question was asked on the last occasion and I gave the answer in the House. If you like, I can repeat it.

Mr. Speaker: Hon. Members must not put the same question which has been answered already.

Shri Assar: It is alleged that some of the members of the Executive Committee are also involved in this matter. If that is so, may I know their names?

Shri Humayun Kabir: I have no knowledge about the assumption. Therefore, the question does not arise.

श्री भक्त वशंत : पिछली बार भी यह प्रश्न किया गया था और माननीय मंत्री जी ने जरा टालने का प्रयत्न किया था । कम से कम अब तो क्या माननीय मंत्री जी बतलाने की कृपा करेंगे कि आखिर गड़बड़ी किनसे क्यों की है ?

Shri Humayun Kabir: I told the House, if you will remember, that as soon as the report is submitted I shall place the whole case before the House. I was a little hesitant about giving the details at this stage because the police are investigating. But if you wish, I can give the broad outline.

Mr. Speaker: Yes.

Shri Humayun Kabir: About 51 cases seem to have been there in which there were serious discrepancies, and according to the preliminary report of the Assistant Financial

Adviser who submitted it to the Treasurer of the Akademi, there was an amount of approximately Rs. 1,88,000 which in his view may have been cases of defalcation, and an amount of about Rs. 55,000 which may have been cases of temporary misappropriation. But because these things are all under investigation and the amount may be either more or less after the enquiry, I was hesitating. That was the reason.

Kumari M. Vedakumari: This kind of management is going on since one year and we do not know what the committee is doing. The President and Secretary are away and the affairs of the Sangeet Natak Akademi are not functioning well. That is known to the public also. We therefore want that a committee should be appointed to see that all the affairs are conducted well.

Shri Humayun Kabir: As soon as the discrepancies came to our notice I immediately had the matter looked into. The Treasurer looked into the matter and we are doing everything possible to tighten up the administration of all the affairs.

Mr. Speaker: She wants a committee to generally overhaul the whole thing.

Shri D. C. Sharma: May I know if it is under the contemplation of the Ministry to change the set-up of this Akademi so that such occurrences are not repeated again?

Shri Humayun Kabir: If the hon. Member will make his question a little more explicit, then I will be able to answer him. What does he mean by 'set-up'—the constitution or the personnel?

Mr. Speaker: What steps are taken to see that these things do not recur—that is what he wants to know.

Shri Humayun Kabir: We have already asked the Akademi to be more careful about administration, and they have now an Administrative Officer. And the Treasurer has been scrutinising things. It was on account

of the Treasurer's vigilance that these things came to our notice.

Shri Narasimhan: Is it a fact that owing to this pell-mell in the affairs there has not been an election for the whole Akademi; and may I know when the elections will take place?

Shri Humayun Kabir: There is no question of election for the whole Akademi; the constitution is to be revised, and that has been kept pending on account of this investigation.

Shri Narasimhan: So far as the matter of election is concerned, how long has it been pending?

Mr. Speaker: He does not admit that it is election.

Shri Humayun Kabir: There is no question of election. As I said, the present Chairman would normally continue for at least another two or two and a half years. But if the constitution is revised, then the position may be different.

Shri B. K. Gaikwad: May I know whether Government give yearly grants to this institution and, if so, what is the amount?

Shri Humayun Kabir: The grants vary from year to year, and they are placed before Parliament at the time of the budget.

Kumari M. Vedakumari: Even in giving grants to all the States there is so much discrepancy between the grants given to the various States. One State is given, for instance, only Rs. 3,000 while another is given Rs. 1 lakh. And there is not a report even to Parliament, giving all the details, on what basis they are giving the grants. So we want to know the full affairs after this particular enquiry.

Shri Humayun Kabir: I agree that in the past the reports of the Akademi were not regularly published. But we have seen to it that now the reports are published every year. The first report for the first five years has been placed before

Parliament, and since then annual reports are to be placed before Parliament.

श्री भक्त दर्शन: क्योंकि यह गड़बड़ी का केस गवर्नमेंट की नजर में आया है, मैं जानना चाहता हूँ कि क्या गवर्नमेंट ने अपना नियंत्रण कुछ कड़ा करने का, कठोर करने का इरादा भी किया है ताकि इस तरह की घटनाएँ न होने पायें ?

Shri Humayun Kabir: We have tightened up the administration. We have requested the Sangeet Natak Akademi authorities to be far more vigilant than they have been in the past.

Some hon. Members rose—

Mr. Speaker: I have reserved some hon. Members for certain questions. I do not want to allow every hon. Member on every question. Shri Damani, I have reserved for Commerce and Industry. Next question.

Tax on Charitable Trusts

*999. **Shri Ram Krishan Gupta:** Will the Minister of Finance be pleased to state:

(a) whether Government have assessed the additional income to be brought to the Central Exchequer by bringing within the scope of Income Tax Law the business incomes of certain kinds of charitable trusts; and

(b) if so, the details thereof?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

(a) Presumably, the question is with reference to the recommendations of the Direct Taxes Administration Enquiry Committee for the amendment of the relevant provisions in the Income-tax Act in regard to the exemption of the business income of Charitable and Religious Trusts, which have been accepted by the Government—namely, that the intention that the business income will be exempt

only if the business is carried on in the course of carrying out the primary objects of the Trust, should be clarified in the substantive provisions of the relevant section; that no exemption should be allowed where the relations of the settlor are entitled under the Trust Deed to a priority in receiving benefits from the Trust funds; and that where a Trust is accumulating its income, the accumulation in excess of 25 per cent. of its income, should be subjected to tax. The Government have so far not undertaken the assessment of the additional revenue expected from the proposed amendments. This will need an elaborate enquiry by scrutinising the Trust Deeds and examining the accounts, which will take time and may not also yield useful results, as the revenue derivable will depend upon the facts of each case during the relevant accounting year for which assessment is to be made under the law as proposed to be amended.

(b) In view of the foregoing reply, the question of giving details does not arise.

Shri Ram Krishan Gupta: May I know whether there is any possibility of imposing Income-tax on business of certain kinds of charitable trusts during the current financial year?

Shrimati Tarkeshwari Sinha: The information asked for by the hon. Member is included in the statement itself. Nothing more is proposed to be given.

श्री प्रकाश वीर शास्त्री : क्या मैं जान सकता हूँ कि धार्मिक ट्रस्टों की आय में केन्द्रीय सरकार के राजकोष को जो धन प्राप्त होता है उसके सम्बन्ध में सरकार के पास कोई ऐसे आंकड़े हैं भी कि उसमें हिन्दू सम्प्रदाय के कितने ट्रस्ट हैं जिन में आय होती है ?

श्रीमती तारकेश्वरी सिन्हा : इस मुझाब का मान लेने में जो अधिक आय होगी उसके बारे में कोई आंकड़े अभी तैयार नहीं किये गये हैं। जब हर एक केस अलग-अलग के मे

तैयार किया जायेगा और उसके बारे में द्वाबनीन की जायेगी और टैक्स लगाया जायेगा तब उसके बारे में सारे आंकड़े प्राप्त हो सकेंगे।

Shri Tangamani: In the statement it is stated that the Tyagi Committee has made certain suggestions about the income from charitable trusts. The statement also says that an elaborate enquiry will have to be held. May I know whether an enquiry is going to be held and, if so, by what time are we going to know the result of that enquiry?

Shrimati Tarkeshwari Sinha: This particular recommendation, if accepted, will result in additional revenue for the Government. But it will depend on each particular case and each religious trust deed. That will be enquired into individually. Therefore I am not in a position to give any figures for those cases right now.

Shri Ramanathan Chettiar: May I know whether the income of a charitable trust which does business will be exempt from taxation?

Shrimati Tarkeshwari Sinha: In the case of a trust which is accumulating a part of its income for being spent subsequently for charitable purposes only, the amount set apart in excess of 25 per cent of this income should be subjected to tax. That is the recommendation we have accepted.

द्विसदस्यीय निर्वाचन-क्षेत्रों को समाप्त करना

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श्री भक्त दर्शन :
श्री रामी रेड्डी :
श्री सुरेन्द्र नाथ द्विवेदी :
श्री उस्मान अली खां :
श्री आचार :
श्री हेम राज :
श्री राम सेवक यादव :
श्री जगदीश भवस्थी :
श्री अर्जुन सिंह भवोरिया :
श्री न० रा० मुनिस्वामी :

*१०००.

श्री तंगामणि :
श्री चिन्तामणि पाणिग्राही :

क्या विधि मंत्री ६ सितम्बर, १९६० के तारांकित प्रश्न संख्या ११०४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि द्विसदस्यीय निर्वाचन-क्षेत्रों को समाप्त करने का जो प्रश्न विचाराधीन था, उसके बारे में क्या निर्णय किया गया है ?

The Minister of Law (Shri A. K. Sen): Government have decided that the existing double-member constituencies should be bifurcated and that in their place single-member constituencies should be created. Necessary legislation to give effect to this decision is expected to be introduced in Parliament in the course of this session.

Shri Raghunath Singh: In the course of this session?

Shri A. K. Sen: Yes, in the course of this session.

Mr. Speaker: Shall I pass on to the next question because the Bill is going to be introduced? Hon. Members may reserve their remarks. Shri Bhakt Darshan.

श्री भक्त दर्शन : क्या यह निर्णय करते समय या निर्णय करने के बाद एलेक्शन कमिशन से भी विचार विमर्श किया गया है कि इस डिलिमिटेशन के कार्य के पूरे हो जाने की सम्भावना है ?

श्री अ० कु० सेन : जी, हाँ ।

श्री अजराम सिंह : अभी माननीय मंत्री महोदय ने बतलाया कि इसी अधिवेशन में कानून रक्खा जायेगा । मैं यह जानना चाहता हूँ कि कानून सिर्फ रक्खा ही जायेगा या इसी अधिवेशन में पास भी किया जायेगा ।

श्री अ० कु० सेन : आशा है कि रक्खा जायेगा ।

Shri Kalika Singh: May I know whether the proposal is to bifurcate the existing double-member consti-

tuencies or it is just to delimit them independently of that?

Shri A. K. Sen: How can the delimitation be independent of the existing constituencies?

Mr. Speaker: What he wants to know is whether the plural-member constituencies will be bifurcated and a portion will be allotted as a special reserved seat for the Scheduled Castes and Scheduled Tribes or whether the whole thing will be taken and once again fresh demarcation of all the constituencies will be made.

Shri A. K. Sen: No, it is not in contemplation to demarcate all the constituencies. Only the double-member constituencies will be bifurcated so as to create single-member constituencies.

Shri Kalika Singh: What will be the basis thereof?

Mr. Speaker: Shri Balakrishnan.

Shri Balakrishnan: On what basis the reserved seats are going to be allocated after splitting the double-member constituencies?

Shri A. K. Sen: It is better to await the Bill itself.

Shri Chintamani Panigrahi: May I ask one question?

Shri Supakar rose—

Mr. Speaker: Next question. Each hon. Member wants to ask one question.

Shri Chintamani Panigrahi: My name is there.

Mr. Speaker: Next question. Shrimati Ila Palchoudhuri.

Scheme for Nationalization of Banks

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***1001. { Shrimati Ila Palchoudhuri:
Dr. Ram Subhag Singh:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a scheme for rationalization of structure

of the banking industry in India is under the consideration of the Government of India;

(b) if so, the broad details thereof; and

(c) the progress made in connection therewith?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). It is proposed to make use of the powers available under the recent amendments to the Banking Companies Act to formulate and implement schemes of reconstruction or amalgamation of banking companies, as and when this may be desirable.

(c) Moratorium orders have been issued in the case of ten banks and schemes for the reconstruction and amalgamation of four of these banks have already been framed and forwarded to the institutions concerned for their comments and suggestions. The question of framing suitable schemes in the case of the other banks is under consideration.

Mr. Speaker: Excitement must subside immediately after the question is over. If it continues, how can hon. Members hear the hon. Minister's reply?

Shrimati Ila Palchoudhuri: May I know whether it will be enough to make the small depositors' interests safe? All that will be necessary is that all banks should belong to the federation deposit insurance authority. Will that lead to some safety for the small depositors?

Shrimati Tarkeshwari Sinha: I do not know whether the question asked by the hon. Member arises out of this question. This question specifically relates to the reconstruction of banks for which powers have been given by an Act of Parliament.

Shrimati Ila Palchoudhuri: It is a rationalisation scheme and that is one of its facets.

Shrimati Tarkeshwari Sinha: The rationalisation scheme is being taken up by virtue of power given by an Act of Parliament and it covers two things—firstly, moratorium to banks can be granted and, secondly, amalgamation of different banks can be done. These two things are being done.

Shri Thirumala Rao: In the printed questions list it is 'nationalisation' that is printed. The hon. Minister says it is rationalisation.

Mr. Speaker: It is rationalisation. That is a printing error. It has been corrected in my copy. I understand that correction slips have been sent but some of the hon. Members perhaps did not look into them.

Dr. Ram Subhag Singh: The hon. Deputy Minister said that powers will be used as and when necessary. May I know whether there is any desire to introduce the scheme for the entire banking structure or it is for individual banks?

The Minister of Finance (Shri Morarji Desai): The whole banking structure is being reviewed, but it cannot be said that it will be applied wholesale. It will depend upon the conditions obtaining in each bank.

Shri Ramanathan Chettiar: In view of the fact that more than five banks have come under the moratorium....

Shrimati Tarkeshwari Sinha: Ten.

Shri Ramanathan Chettiar:.... recently in Kerala and other banks in other areas, may I know whether Government is considering the question of having a high-level committee to go into the entire banking structure to find out what is wrong with banking in order to establish sound banking in our country?

Shri Morarji Desai: What is wrong with banking is known. It does not require a committee to tell us. This is a matter for the Reserve Bank to deal with and the Reserve Bank is doing that. Therefore no useful purpose will be served by appointing any committee.

Shri Ramanathan Chettiar: My question....

Mr. Speaker: I will not allow that. It is only a suggestion for action.

Shri Damani: What is the criterion for granting moratorium by the Reserve Bank?

Shri Morarji Desai: It is the necessity of taking the step.

Shri Maniyangadan: May I know whether the employees who are likely to be thrown out of service after the amalgamation will be provided for somewhere else? Are any steps contemplated for that purpose?

Shri Morarji Desai: It is not possible to say anything immediately about that. But when some banks are amalgamated and if any staff becomes superfluous, it will certainly be thrown out of employment. But because of that consideration one cannot say that banks should not be put right. All attempts will, however, be made to see that the staff is not thrown out of employment.

Shri Damani: May I know whether the negotiations for the merging of small banks with big banks are being conducted through the Reserve Bank or they are being done with the bank independently?

Shrimati Tarkeshwari Sinha: The draft scheme will be sent to the Banking companies concerned and the decision will be taken by the Reserve Bank after the sanction of the Central Government.

Shri Prabhat Kar: May I know whether a thorough enquiry has been conducted by the Reserve Bank with a view to find out the weaker units so that the Government can pass orders on moratorium?

Shri Morarji Desai: Yes, Sir. All that information is obtained by the Reserve Bank. It is already there.

Shri Ram Krishan Gupta: The hon. Deputy Minister just now said that a proposal for amalgamation of other

Banks is under consideration. May I know the names of the banks?

Shri Morarji Desai: They cannot be given.

Shri Achar: Some of the banks are being amalgamated. May I know whether it is with the consent of the respective banks or the Reserve Bank does it?

Shri Morarji Desai: The law provides that it can be done even without consent. As far as possible, consent is sought to be taken.

Shri Ajit Singh Sarhadi: May I know whether the scheme of rationalisation envisages the elimination of small banks and amalgamation into big ones or does it also contain support to the small banks in their existence?

Shri Morarji Desai: There will be scope for small banks also. There is no proposal to remove small banks.

Shri Yadav Narayan Jadhav: It has been said in reply to a question that the New Citizens Bank has been amalgamated with the Bank of Baroda. May I know when the regular working of the various branches of these units will start?

Shri Morarji Desai: If they are necessary they will work; not otherwise.

Shri Yadav Narayan Jadhav: It has been merged with the Bank of Baroda.

Reports of Public Undertakings

*1002. **Shri Vidya Charan Shukla:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 905 on the 30th August, 1960 and state:

(a) whether consideration has been completed by Government of the recommendations of the Estimates Committee in their 20th and 60th reports that for all public undertakings a performance and programme statement for the budget year together with the previous years' statements should be

made available to Parliament at the time of the annual budget;

(b) if so, the result of the consideration; and

(c) if the reply to part (a) above be in the negative, the reasons for the delay in arriving at a decision?

The Minister of Finance (Shri Morarji Desai): (a) and (b). No, Sir.

(c). The recommendations raise numerous complicated issues which have to be examined by the various Ministries in consultation with the undertakings concerned and in the light of the terms of the Charters regulating the undertakings.

Shri Vidya Charan Shukla: May I know whether the whole question of parliamentary control over public undertakings is under active consideration of the Cabinet and if so, at what stage that consideration is?

Shri Morarji Desai: It is difficult to divide the stages in consideration. I can only say that it is in the consideration stage.

Shri Braj Raj Singh: May I know whether the Government have looked into the recommendations of the Committee appointed by the Congress Party in Parliament and whether they have agreed to implement them?

Shri Morarji Desai: There is no question of any decision to implement them. It is still under consideration. How can I say that it is agreed to implement them?

Shri Ram Krishan Gupta: May I know whether there is any proposal to appoint Parliamentary Standing Committees also as recommended by the Congress committee?

Shri Morarji Desai: Various proposals are there which are under consideration.

Estimates of Refineries

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*1003. { Shri Morarka:
Shri Punnoose:
Shri Jaganatha Rao:
Shri Hem Barua:
Shri Damani:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the revised estimates for both the refineries together with their original ones;

(b) whether these estimates are final or likely to increase still further and

(c) the reason for the increase, if any?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) to (c). The Indian Refineries Limited are working out the cost estimates in respect of both Nunmati and Barauni refineries.

Shri Morarka: My question was what are the revised estimates for both the refineries and the original estimates. I would like to know whether the estimates have gone up at all as compared with the original estimates or not and if they have gone up, what are the main reasons.

Shri K. D. Malaviya: The estimates have gone up, so far as the Nunmati refinery is concerned. The Barauni estimates are still to be worked out, because detailed reports have not yet been received. They are due any time now. So far as the Nunmati refinery is concerned, the final estimates, which may still have to be modified after detailed examination, which is a continuous process, is Rs. 18.03 crores.

Shri Morarka: From a statement recently supplied by the hon. Minister, it appears that in America, the cost of pipe-line per mile is 58,000 dollars whereas in India it is going to be 120,000 dollars per mile. What is the reason for such a high cost of this pipe-line in India as compared

with America, where the cost of everything is higher?

Shri K. D. Malaviya: This question does not relate to the pipe-line expenditure. If my hon. friend is interested in that, he may put a separate question.

Shri Jaganatha Rao: May I know whether the rise in the estimates is due to increased capacity of the Nunmati refinery?

Shri K. D. Malaviya: No. The original estimates made at the time of the initial proposals were, according to our opinion, under-estimates. Later on, certain items had to be added to it because they were not included in the original estimates. Now, the final estimate has been reduced by Rs. 2 crores. It is finally Rs. 18.03 crores. This compares, I might add, very favourably with the Caltex refinery at Vizagapatam of equal capacity for Rs. 14.03 crores.

Shri Damani: May I know whether the cost of foreign exchange also will be increased and whether any arrangements have been made with the suppliers for the increase in the cost of foreign exchange?

Shri K. D. Malaviya: I am not sure that the increase in the cost of foreign exchange has been included in this estimate. These are physical estimates which have been revised. Certain items have been added and the final estimates are indicated.

Shri K. U. Parmar: In view of the large oil reserves in Gujarat, may I know whether the Government have decided to instal a big-sized refinery there and what will be the cost of it?

Shri K. D. Malaviya: This question does not arise.

Shri Vidya Charan Shukla: What was the original estimate of the Nunmati and Barauni Refineries and what is the latest revised estimate?

Shri K. D. Malaviya: The original estimate of Nunmati refinery was

Rs. 10.5 crores on the basis of the report which was given by the Government delegation which visited Rumania at that time. It has since then increased to Rs. 20 crores.....

Shri Vidya Charan Shukla: 100 per cent?

Shri K. D. Malaviya: Yes....which had to include many items which were not included at that time. Now, the estimates has been reduced and it is Rs. 18 crores. With regard to Barauni, the total costs are still to be worked out. About 100 million roubles or Rs. 12 crores have been set apart for purchase of equipment from foreign countries.

Shri Morarka: May I know what will be the increase in cost due to the preparation of the site in the Barauni refinery?

Shri K. D. Malaviya: At the time of making the estimate, the cost of land was not included because the Assam Government had agreed to give us land free to the Refineries Ltd. Later on....

Shri Morarka: My question was about Barauni.

Shri K. D. Malaviya: With regard to Barauni.....

Mr. Speaker: What I would suggest is this. From the hon. Minister's answers, it appears from the original estimate of Rs. 10 crores, it has increased to Rs. 20 crores and then reduced to Rs. 18 crores. The final estimate now is Rs. 18 crores.

Shri K. D. Malaviya: Yes; it may still be modified.

Mr. Speaker: Hon. Members are anxious to know under what heads these increases have occurred. If the hon. Minister has no objection, he may place the original estimate and the revised estimate in the library so that hon. Members may see.

Shri K. D. Malaviya: I will do so.

Mr. Speaker: Next question.

Coal Supply to Andhra Pradesh

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*1005. { **Shri Viswanatha Reddy:**
 { **Shri Rami Reddy:**
 { **Kumari M. Vedakumari:**

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that there is severe shortage in the supplies of coal to the industries in Andhra Pradesh; and

(b) if so, what are the steps taken to remedy the situation?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) It is true that the full quota of coal has not moved to some industries in that State.

(b) Special arrangements were made to move supplies to the industries which were affected most and, as a result, the position has improved recently.

Shri Viswanatha Reddy: May I know whether it is a fact that coal from Singareni is moved far away from the Andhra State and that is why there is shortage of coal for the Andhra industries?

Shri Gajendra Prasad Sinha: For the Andhra industries, coal is supplied from the Bihar and Bengal belt as well apart from the fact that it is supplied from Singareni.

Kumari M. Vedakumari: The Andhra State is already backward in industries. We want to know the cause of short supply of coal. Is it in the supply of coal or wagons? Many industries are affected and many of the industries are closed already.

Shri Gajendra Prasad Sinha: There has been some short supply of coal

to Andhra because of some unavoidable reasons. Because in the rainy season there were many breaches. At the same time, there was the strike. They were the main reasons. The following steps have been taken to see that the supply of coal to Andhra State is increased. Firstly, the railways have been requested to increase the transport capacity and to remove or reduce the limitations or restrictions imposed by them on the movement of coal, so that more coal could be moved. Secondly, to make up the difficulty of transport, consumers are encouraged to take coal from West Bengal and Bihar coal-fields by rail-cum-sea route through the port of Calcutta. There are some requests also, and arrangements have been made to see that the coal position may improve. Today, the position is slightly better than what is was before.

Shri M. R. Krishna: May I know whether the price of coal is very high for the people of Andhra Pradesh who would like to use the Singareni coal for their industries, because they have to depend upon the coal which has to come from Bihar and other places?

Shri Gajendra Prasad Sinha: The price of coal is already fixed. Therefore, that question does not arise.

Shri Heda: In view of the fact that Andhra Pradesh produces more coal than it consumes, may I know why a system has been evolved by which the Andhra Pradesh coal is sent to the other States, and the coal from the other States is brought to Andhra Pradesh?

Shri Gajendra Prasad Sinha: I have just replied to that. Andhra Pradesh gets its coal not only from Singareni but also from the Bihar and Bengal coal-fields. Just to increase the supply of coal, Andhra Pradesh Government have been requested as also the industries in that State, to have some coal from Korba also. Then, the position may be slightly better. After all, it is not possible to supply

the entire production of the Singareni colliery only to Andhra Pradesh.

Mr. Speaker: The hon. Member's question is different. When Singareni coal is more than sufficient for Andhra Pradesh, why should that be sent away to other States and coal from other States brought to that State?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): May I clarify the position? The supplies of coal are not answered by tonnage but also by certain categories and qualities. There are certain categories of coal which have to be imported for the various users in Andhra Pradesh from the Bengal-Bihar area; then, the States in the south, namely Mysore, Kerala and Madras have not got any coal supply. So, coal has to move to those States also. So, we do not move in this matter of coal distribution on the basis of production. We take several factors into consideration, such as categories, rationalisation of movement, what best the railways can do and so on.

Shri Ranga: In view of the fact that recently complaints and deputations have been received by Government that there was not proper co-ordination between the railways and the coal authorities and as a result of it, the quantities moved into Andhra Pradesh have been in short supply, may I know whether Government have considered the advisability of having an inter-departmental committee at a high level in order to see that there is co-ordination between these two departments, and the supplies are made available to Andhra Pradesh in time?

Sardar Swaran Singh: It is not correct to say that there has been no co-ordination between the railways and the coal distribution authorities. There is constant consultation. I myself meet my colleague the Railway Minister after every two or three weeks to review the position. At the present moment, the movement is

very smooth, and the railways are doing the maximum which they can do.

Shri Thirumala Rao: Has the attention of Government been drawn to the fact that the Government Ceramic Factory at Gudur has been closed down for want of coal recently, causing great loss to the Government and also loss of employment to the labourers?

Sardar Swaran Singh: I would require separate notice for that.

Kumari M. Vedakumari: There is not only lack of co-ordination between the railways and the Steel, Mines and Fuel Ministry, but when every request goes before the Coal Commissioner for the purpose of allocating the priorities as between the various industries, there is some mismanagement at the stage of allocation also. So, I request the coal may be distributed equally to the Andhra Pradesh industries also. At present, we are paying extra transport charges also because we have to get coal from Bengal-Bihar area.

Sardar Swaran Singh: I could not follow the question except that the hon. lady Member is not fully satisfied with the allocation.

Kumari M. Vedakumari: I shall repeat the question. There is not only lack of co-ordination between the railways and the Ministry of Steel, Mines and Fuel in the matter of allotment of wagons for coal, but there is mismanagement at the level of the Coal Commissioner while fixing up the priorities for the industries and making the allocations. We want to know whether the mistake is at the level of the Steel, Mines and Fuel Ministry or the Railways or the Coal Commissioner? What is the difficulty, and where does the difficulty lie?

Sardar Swaran Singh: I have already submitted that there is complete co-ordination, consultation and

joint handling in the matter of movement of coal. It has to be remembered that nearly 50 million tons have to be moved, which roughly comes to one-third of the total capacity of the railways. The Coal Controller lays down the priorities, and the top priorities are the steel mills and other such industries, the power-houses etc. I have often indicated what the priorities are. Then, those priorities have to be fitted with the number of wagons that are available. In that exercise, I would not be surprised, if some low-priority users have not received coal in the requisite quantity at the requisite time.

Several Hon. Members rose—

Mr. Speaker: May I suggest one thing? Hon. Members from different parts of Andhra Pradesh appear to be interested in this. Therefore, may I suggest to the hon. Minister that he may have a small conference of all the members coming from Andhra Pradesh, and iron out the differences, if there are really any?

Shri Ranga: The other Ministers also should be there, and not merely the Minister of Steel, Mines and Fuel.

Shri Ram Krishan Gupta: What about the other States? (*Interruptions*).

Mr. Speaker: Very well. From time to time, these matters can be easily resolved by sitting together across the table and talking over the matter. The whole of India is concerned with this problem of coal supply, movement of wagons, from which colliery the supply has to be earmarked and so on. The Central Hall of Parliament House is there, and I always keep it at the disposal of hon. Members. Therefore, the hon. Minister, if he has no objection, may permit a number of hon. Members to meet him, and he can sit together with them and iron out those differences.

Sardar Swaran Singh: There is no question of any objection. Hon. Members are most welcome, and they can

meet me at any time. Actually, they are meeting me from time to time. We have had two meetings of the informal consultative committee recently, which fairly represents the hon. Members from different sides of the House, and if there are any particular matters which they want to urge, I am at their disposal.

Mr. Speaker: Very well, he can fix up a meeting on the 24th instant.

Shri D. C. Sharma: This is an all-India problem, and the hon. Minister must take into confidence all the Members of the House.

Mr. Speaker: The hon. Minister may fix up a meeting on the 24th December, 1960 or at some other time, when all the hon. Members may meet him. This seems to be a general complaint from all States and not only from Andhra Pradesh. So, the hon. Minister may, as quickly as possible, and as early as possible before the hon. Members go away, sit together with them and try to find out a solution. I am only interested in seeing that no complaints are brought before the House.

Shri Braj Raj Singh: He alone should not be there. Unless the Railway Minister is also roped in, nothing is going to come out of it, because the question of wagon shortage is also there. The coal is there at the pit-heads, but it is not being moved for running the industries. That is the whole difficulty.

Mr. Speaker: If a date is fixed, I shall ask the Railway Minister or his deputy also to be present.

Shri P. C. Borooah: May I ask one question?.....

Mr. Speaker: Assam has got oil and no coal.

Shri P. C. Borooah: Assam has coal also.

Mr. Speaker: The hon. Member also may be present at that meeting.

Iron and Steel Shortage

*1006. **Shri Supakar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there is still acute shortage of iron and steel for house building materials in many States in India; and

(b) the total demand of such material in each State and the corresponding supply for the period of six months ending on the 30th June, 1960?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) The supply position of bars and rods, the items mainly used for house building, is now comparatively easier. There is however, shortage of galvanised sheets.

(b) Steel for house-building materials, mainly bars and rods and G.C. sheets, has to come generally from the States' Non-agricultural and Government Development Scheme quotas. A statement showing the State-wise demand under these quotas and the supplies made during the half-year April—September, 1960 is laid on the Table of the House. [See Appendix III, annexure No. 80].

Shri Supakar: From the statement, it appears that whereas some of the areas have not got even one milligram of iron or steel supplied against their demand, whereas States like Assam get less than 5 per cent of their demand, some other States like Madras and also Delhi get 95 per cent of their demand. In West Bengal, where the main office is situated, the supply is 125 per cent of the demand. May I know why this disparity exists and how the Ministry proposes to iron out this disparity?

Shri Gajendra Prasad Sinha: In some of the States, the supply has been less as compared to others. There have been some reasons for it. In Assam, the difficulty is because of

the lack of communications. On account of this, there has been short supply there, but now the position has improved to a large extent. There are other States where the supply has been less in comparison with others because the production was not timely planned on account of so many factors.

Shri Supakar: The reason offered does not appear to be very sound because even in those areas where there is absolutely no difficulty of communication, there has been remarkably short supply. The percentage of supply to the demand is about 25—30 in many other areas also where the communications are quite good. So what is the real reason?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): It is a fact that supplies to Assam, Orissa,—to which the hon. Member belongs,—Madhya Pradesh and Himachal Pradesh have been low, and steps will be taken to ensure that this disparity is reduced as much as possible.

Mr. Speaker: Why should there not be a Standing Committee with respect to every controlled commodity? These questions are coming up again and again. Even the Estimates Committee looked into the matter of steel control and so on. They wanted to go into it in detail. The hon. Minister is not in favour of going into details here, but to avoid these complaints on the floor of the House, can there not be a Standing Committee to advise the Ministry on allocation?

Sardar Swaran Singh: I think the Informal Consultative Committee is the forum for this type of questions. Whoever is particularly interested in any subject can become a Member of it. But I am very doubtful if the Standing Committee really will be able to look into allocations, movements and a 101 other things.

So far as steel is concerned, my estimate is that the position is becoming easier and it ceases to be a scarcity item. It may be that there may be disparity between actual al-

[Sardar Swaran Singh]

locations and the movement or supplies, but these figures are not fully representative of the correct state of affairs, because there are certain items which are even not being lifted now, although the allocation and allotment are there. Whether in respect of any other commodity such a Committee is necessary or not, I do not think that steel is an item which will require that sort of constant headache.

Mr. Speaker: Am I to understand that there is already a separate Committee for steel?

Sardar Swaran Singh: There is a separate Consultative Committee for the Ministry and this item is under the Ministry. Therefore, that Committee can always ask questions informally and make suggestions. I am afraid if we have far too many Committees, probably hon. Members who are already so busy on account of long sessions may not have enough time to devote to all this.

Shri Braj Raj Singh: How do the Government explain the fact that in certain States 125 per cent of the demand has been supplied whereas in others zero per cent of the demand has been supplied?

Sardar Swaran Singh: In the State of West Bengal, as has been clarified in the statement, the actual supplies are more than the demand. But it should be remembered that Calcutta being a big market, anything that is actually taken off, that is, offloaded in Calcutta, is not necessarily consumed there. There is some movement even after the offloading to the adjoining States like Assam or Orissa. Therefore, merely because a certain item appears to have been offloaded in Calcutta or West Bengal does not necessarily mean that all that was consumed in West Bengal.

Shri Goray: Is this an answer which will satisfy even the Minister?

Mr. Speaker: How could he answer unless he is satisfied?

Shri Goray: What is this answer?

Mr. Speaker: If hon. Members are not satisfied, what can I do?

On other occasions, when Shri Gadgil was here, there was a complaint about coal, the output, movement, wagons and so on. Immediately I suggested that the Estimates Committee might look into this, prepare a report and submit it to this House. If hon. Members are willing, I am prepared to ask the Estimates Committee to look into it again. When in one case 125 per cent of the demand has been supplied and in another only 5 per cent of the demand has been satisfied, there seems to be a legitimate grievance. The hon. Minister may consider this matter and say whether this may be looked into by the Estimates Committee, in which case I will advise the Committee to go into it. There is no meaning in creating an impression that distribution arrangements are not proper.

Sardar Swaran Singh: Whatever you decide, I will not have any objection. But I do not think the Estimates Committee need be bothered about a matter like this. It is an administrative matter. I have myself said that there has been short supply in the case of certain States. I will take steps to ensure that those supplies are made good. Then I will come to the House again to say that this is the pattern. Therefore, I think this is hardly a matter for the Estimates Committee to bother about.

Mr. Speaker: All right. I expect the hon. Minister will have time during this recess to look into this matter and evolve a scheme and place it before the House. If, however, hon. Members are not satisfied then, let us see what can be done.

Shri Tyagi: One question put to the Minister has not been answered. Why was West Bengal supplied more than its quota?

Mr. Speaker: The answer has been given.

Shri Supakar: The Estimates Committee looked into this matter two

months ago. The Public Accounts Committee also considered it last year. In spite of all that and in spite of our asking questions here, the matter does not improve, but rather worsens.

Mr. Speaker: Let us see.

Sardar Swaran Singh: I think it will not be fair to say that the objections raised are not being attended to. That is what it amounts to. But that is not a fact. Actually, we have to remember this. Take, for instance, Assam. In Assam where there is short supply, I am in touch with their Government. We have taken some steps to move the material, particularly to meet the special situation that arose there. With regard to Madhya Pradesh and Orissa, where the supply has been somewhat low, steps will be taken to ensure that the supplies move to those areas.

Another question which was put and which I attempted to answer, was why supplies to certain areas—West Bengal—were higher. There is no catch in this. Sometimes there is the movement difficulty. Sometimes categories required in any particular State are not available. It is not like a bulk commodity where tonnage really means anything. For instance, there are big engineering workshops in Calcutta. They require certain types of steel. This probably will not be required in Assam or Orissa. So it will not be quite correct to compare these figures and say that there is any great catch in them.

Some Hon. Members rose—

Mr. Speaker: Order, order. This cannot be disposed of during the Question Hour. The hon. Minister has said that he will look into this matter and see that there is no injustice or hardship caused to any particular State. During the recess, he will certainly prepare a scheme in such a way that no trouble or hardship is caused to any State. If after the scheme is placed on the Table of the House next session, hon. Members want to discuss it, I will certainly allow a discussion in the House.

Shri Radhelal Vyas: If you permit me, I will ask one question. Who is responsible for this? Is it not the licence holders?

मैं यह जानना चाहता हूँ कि क्या यह सही नहीं है कि कुछ राज्यों को और कुछ बड़े शहरों जैसे कानपुर, कलकत्ता आदि के लाइसेंस होल्डरों को इतना कोटा दिया जाता है कि वहाँ बिक नहीं सकता, और जब वह बिक नहीं सकता तो उनको छूट दी जाती है कि वह कहीं भी और किसी को भी बेच सकते हैं, और वह फिर ब्लैक मारकेट में जाकर दूसरे राज्यों में बिकता है। क्या यह सही नहीं है और अगर सही है तो इसे रोकने के लिये क्या किया जा रहा है ?

सरदार स्वर्ण सिंह: मैं बहुत जोर से यह कहना चाहता हूँ कि यह बिल्कुल सही नहीं है।

May I try to explain the position because it appears that the situation is not quite clear to the hon. Members?.....(Interruptions).

Shri M. L. Dwivedi: I visited Ludhiana and all the 4,000 small manufacturers there told me that they bought iron and steel in the black-market at Delhi. Similarly, others are getting from Bombay and Calcutta. The hon. Minister is not able to detect it....(Interruptions).

Mr. Speaker: Order, order. Is there no order to be observed in the House? Why should hon. Members lose themselves over steel?

Sardar Swaran Singh: It seems that a copy of the statement which has been laid on the Table of the House appears to be the reason for the hon. Members feeling somewhat impatient. If seen carefully, it will be found that this is not the whole picture because the question was confined to certain categories. The total supplies covered by this statement are 12.91 tons while the total consumption in the whole country is about 25.28 lakhs—about 3 million tons. These are despatches against certain

types of quotas and the figures do not give a comprehensive view of steel consumption in various cities or for various uses. So, to draw conclusions of a general character from this would not be fair. If any hon. Member has any specific instance in his mind, I shall be glad to be benefited by that instance; I will certainly look into it if details are given to me.... (Inter-ruptions).

Mr. Speaker: Order, order. There is no good all of us rising with respect to the same question which has taken so many minutes. I have suggested and the hon. Minister has agreed, he would prepare a scheme and see that no such complaints arise in the future. He will place that scheme on the Table of the House during the next session. If still the hon. Members have suggestions to make, I will allow a discussion on that scheme in this House to their satisfaction.

Export of Furnace Oil

*1007. **Shri Raghunath Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state whether it is a fact that the export of furnace oil to Ceylon, Aden and Japan from India has decreased from 58.09 in 1958 to 32.97 lacs of rupees in 1959 and India has lost her market of Aden and Japan completely?

The Minister of Mines and Oil (Shri K. D. Malaviya): Yes, Sir. Exports of Furnace Oil have declined mainly because of increased consumption in the country.

Shri Raghunath Singh: May I know whether the export of furnace oil has decreased by 50 per cent in one year? Who is competing with India in Aden, Japan and Ceylon markets where we were exporting our oil?

Shri K. D. Malaviya: I do not specifically know who is competing with us in those places. But our consumption inside the country has increased appreciably in the last 2½ years. We were exporting furnace oil before 1960 but we stopped ex-

porting furnace oil after that, because of two main factors: firstly, local consumption due to the increase in the industrial activity of the country and secondly, one of the refineries has reduced the production of furnace oil and diverted its machinery to the production of road-dressing material, such as, asphalt, etc. Therefore, furnace oil is no longer an exportable commodity. I am afraid that for sometime to come we will have to import furnace oil for our own industrial purposes.

Shri Vidya Charan Shukla: May I know if the decrease in the production of furnace oil or the increase in the internal consumption is the sole reason for the decrease in the export of furnace oil?

Shri K. D. Malaviya: Yes, Sir; these are more or less the sole reasons for stoppage of exports.

Shri Ramanathan Chettiar: Have we found new markets for our furnace oil?

Shri K. D. Malaviya: We have export market but the point is, as I have already explained, we have no exportable oil.

Shri Vidya Charan Shukla: What steps are the Government taking to increase the production of furnace oil in the country?

Shri K. D. Malaviya: As soon as our two refineries in the public sector go on stream, we shall have more furnace oil. But because of the fast rate at which furnace oil consumption is increasing in our country due to rapid industrialisation, we will have to import furnace oil for some years unless we have more refineries and the consumption of petroleum products attains a level in which production of furnace oil becomes economical.

Shri C. K. Bhattacharya: I put question No. 1008.

The Minister of Home Affairs (Shri G. B. Pant): The visit to Assam.....

Some Hon. Members: The answer is not audible; we do not hear what he says.

Shri Ranga: Cannot the other Ministers be asked to read it? Where is the need for the Home Minister to read it? There are other Ministers from the same department and they can read the answer.

Home Minister's Visit to Assam

*1008. **Shri C. K. Bhattacharya:** Will the Minister of Home Affairs be pleased to state:

(a) what was the object of his visiting Assam in October;

(b) whether he was invited by the Government of Assam, if so, for what purpose;

(c) whether he made any attempt to solve the official language problem and if so, what formula did he evolve for the purpose; and

(d) whether his formula was accepted by the Assam Government?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The visit to Assam was at the invitation of the State Chief Minister with a view to securing the necessary atmosphere so that the difficulties over the official language question of the State might be resolved.

(c) During the course of discussions with the State Ministers and other interests concerned, the following formula emerged:

(i) Assamese and Hindi (English to continue until it is replaced by Hindi) might be recognised as two official languages of the State;

(ii) English (to be later replaced by Hindi) might be used for official purposes in the Assam Secretariat and in the offices of Heads of Departments; and

(iii) The language to be used for official purposes at the district

level may be Assamese in the districts of Assam Valley, Bengali in the Cachar district and the language to be determined by each district council in each autonomous district.

(d) The Bill as introduced in the State Legislative Assembly was broadly on the lines of this formula.

Shri C. K. Bhattacharya: May I know whether the Bill as introduced in the Assam Legislative Assembly makes Assamese the only official language of Assam? How does the hon. Home Minister reconcile his formula with the Bill that has been introduced and passed by the Assam Legislative Assembly?

Shri G. B. Pant: Not the Bill; to say so, I think, is incorrect. The Bill was amended and the Act is in the form stated by the hon. Member. The Bill was just as I have stated here.

Shri C. K. Bhattacharya: The Bill was amended. It was amended at the instance of the Government itself. In the course of one day, in the course of 24 hours they amended it thrice. They first refused to accept the amendment proposed by the Chief Minister, then they accepted it and then again rejected it. These three different phases passed during 24 hours. Therefore, how does the Home Minister say that the Assam Government was not responsible for not accepting the formula that he had suggested?

Shri G. B. Pant: I did not say anything like that. I only said that the Bill was in the form in which I had stated.

Shri A. C. Guha: May I know whether the Act as passed after the necessary amendments follows the lines suggested by the Home Minister; if not, whether the Government of India would try to intervene and persuade that Government to amend the Act on the lines suggested by the Home Minister originally?

Shri G. B. Pant: The Bill, in so far as the Bill had been amended, does not agree with the suggestions made

by me, and my efforts to bring about an understanding so far as possible continue.

Shri A. C. Guha: May I have some idea as to when the Home Minister or the Government expect the Assam Government to carry out the directive or instructions given by the Home Minister in this regard?

Shri G. B. Pant: Any directive or instruction.....

Shri C. K. Bhattacharya: May I know, Sir.....

Mr. Speaker: The Question Hour is over.

SHORT NOTICE QUESTIONS

Seizure of Chinese Literature

S.N.Q. 5. Shri Raghunath Singh: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that customs department at Calcutta have issued many show cause notices to various persons on account of Chinese literature and have seized many periodicals and literature; and

(b) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The following publications, the import of which had been banned by Government under section 19 of the Sea Customs Act, 1878 were received at Calcutta by post:—

- (1) *China Reconstructs*. March, 1960.
- (2) *Peking Review* No. 37 of September 15, 1959.
- (3) Documents on the Sino-Indian boundary Question in English.
- (4) Documents on the Sino-Indian boundary Question in Hindi language.

Accordingly, show cause notices were issued to the addressees for action under section 167(8) of the Act. De-

tails regarding the show cause notices issued are:—

Total number of show cause notices issued—400.

Total number of cases adjudicated (the banned publication being confiscated in each case)—232.

Show cause notices withdrawn—24.

Cases under adjudication as on 15th December, 1960—144.

Shri Raghunath Singh: Before these periodicals are seized, may I know whether there is any agency to examine them?

Shri Morarji Desai: They are examined by the Sea Customs Authorities.

Shri A. C. Guha: May I know whether the list of addressees against whom show cause notices were issued also include the names of some firms, some book selling firms and associations; if so, what further action has been taken against those firms so that the banned literatures may not be on sale or given free of charge to different persons?

Shri Morarji Desai: The banned publications have been confiscated; therefore, they cannot be on sale.

Shri A. C. Guha: If there are any book selling firms or associations whose names have been included in the list, may I know what further action has been taken against them?

Shri Morarji Desai: I have not got the list of all the 400 people with me.

Shri D. C. Sharma: The hon. Minister just now said that the show cause notices issued on 25 parties were withdrawn. May I know on what basis those show cause notices were withdrawn?

Shri Morarji Desai: The notices withdrawn were in those cases where there was no objectionable literature. In their cases it was found that the publications were not banned, they were not objectionable. In some cases

the addressees themselves did not know that they had received such publications. It was at the instance of the parties concerned that they were received and therefore in their cases also the notices were withdrawn.

Medium of Instruction in Delhi University

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S.N.Q. 6. { Shri Braj Raj Singh:
Shri Ram Krishan Gupta:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that a decision was taken by the University of Delhi that after 1962 the medium of instruction in the University of Delhi will be only Hindi;

(b) whether it is also a fact that the University Grants Commission has subsequently directed the University of Delhi not to implement this decision;

(c) if so, what circumstances have compelled the University Grants Commission to give such a directive;

(d) whether Government have considered the implications of such a directive; and

(e) if so, what action Government propose to take in this regard?

The Minister of Education (Dr. K. L. Shrimali): (a) to (e). The University Grants Commission, who considered the proposal of the University of Delhi to change the medium of instruction from English to Hindi in gradual stages, beginning from 1962, have not issued any directive as such but have merely pointed out to the University the desirability of their holding a full and free discussion of the problem with the University authorities and the Principals of colleges before proceeding further in the matter. The proposed discussion is likely to be held early in February, 1961.

In addition to this, Sir, I should like to inform the hon. Member that I

have had a talk with the Vice-Chancellor on the telephone. He has informed me that there has been no change in the policy, they propose to stick to the programme which has been laid down, they are having a discussion shortly with the University Grants Commission and there has been no change in the programme.

श्री ब्रजराज सिंह : श्री वी० के० आर० वी० राव जब कि इस विश्वविद्यालय के उपकुलपति थे तो उनकी अध्यक्षता में यह निश्चय लिया गया था कि १९६२ में शिक्षा का माध्यम हिन्दी होगा। इस बात को देखते हुए कि श्री राव अब उस यूनिवर्सिटी के उपकुलपति नहीं हैं, मैं जानना चाहता हूँ कि कौन सी ऐसी परिस्थितियाँ पैदा हुईं जिनके कारण विश्वविद्यालय अनुदान आयोग को इस तरह का मुझाव देना पड़ा कि इस विषय पर बहस हो और बहस हो कर फिर इस विषय में कोई निश्चय लिया जाये ?

डा० का० ला० श्रीमाली : बहस खाली उसकी स्टेजिज के बारे में है और उस मामले में है कि क्या सहायता यूनिवर्सिटी ग्रांट्स कमिशन इस बारे में दे सकता है। गवर्नमेंट ने यूनिवर्सिटी ग्रांट्स कमिशन को यह लिखा है कि दिल्ली यूनिवर्सिटी जो कुछ भी कार्रवाई कर रही है वह गवर्नमेंट की नीति के अनुसार है और उसको पूरी सहायता इस मामले में दी जानी चाहिये। अभी जो मुझे दिल्ली यूनिवर्सिटी के वाइस-चांसलर ने कहा वह यह कहा कि चूँकि और यूनिवर्सिटीज में भी यह प्रश्न है, और यह समस्या है और चूँकि दिल्ली यूनिवर्सिटी का इस विषय में विशेष अनुभव है, विशेष तजुर्बा है और उसका फायदा उठाना चाहते हैं इसलिए वह यूनिवर्सिटी ग्रांट्स कमिशन उनसे इस मामले में विचार विमर्श करना चाहते हैं। मैं आपको इत्मीनान कराना चाहता हूँ कि कोई भी प्रोग्राम में तबदीली नहीं हुई है, कोई भी पालिसी में चेंज नहीं आया है।

श्री ब्रजराज सिंह: माननीय मंत्री जी

की इस घोषणा के बाद कि सरकार की घोषित नीति के अनुसार ही दिल्ली विश्व-विद्यालय ने यह निश्चय किया कि १९६२ से शिक्षा का माध्यम हिन्दी हो, मैं जानना चाहता हूँ कि विश्वविद्यालय अनुदान आयोग ने इस निश्चय के बावजूद इस विषय पर बातचीत करने की आवश्यकता क्यों समझी और दूसरी बात यह कि दिल्ली विश्वविद्यालय ने जब यह निश्चय लिया है तो इसको पूरा करने के लिए सरकार की तरफ से उसकी अब तक क्या सहायता हुई है जिससे कि शिक्षा का माध्यम हिन्दी हो सके और आगे उसे क्या सहायता देने का विचार है ?

डा० का० ला० श्रीमाली : यूनिवर्सिटी ग्रांट्स कमिशन के सामने यह तस्वीर इसलिये आती है कि इसका सम्बन्ध स्टैंडर्ड से है, इसलिए वह भी अपने आपको सन्तुष्ट करना चाहता हूँ कि जो भी प्रोग्राम बनाया जा रहा है, उससे स्टैंडर्ड पर किसी तरह कोई असर नहीं होगा । इसलिए उन से विचार-विमर्श करना जरूरी हुई ।

Shri Thanu Pillai: Is the Delhi University a Centrally administered all-India university or is it a regional university? If it is an all-India university, what will be its language policy vis a vis the Government's language policy?

Dr. K. L. Shrimall: As everybody knows, Delhi University is a Central university, and the Delhi University itself has decided it and if it wants to change over to Hindi as the medium of instruction the university is quite free to take a decision in this matter.

Shri Thanu Pillai: May I know if the Delhi University is free to take the decision to have Hindi language as the medium of instruction without reference to the all-India policy of the Government, namely, of having a common language? What is the attitude of the Government towards the university?

Dr. K. L. Shrimall: The attitude of the Government is guided by the Act of Parliament. The Act of Parliament

gives the freedom to the university to draw up their own courses and curricula and it is for the university to decide what medium of instruction they want to choose. There is nothing contrary to the policy of the Government if the university changes over to Hindi as the medium of instruction. In fact, the University Education Commission which was appointed as early as 1950 or so, with Dr. Radhakrishnan as Chairman, had recommended that the universities should change over to Hindi or the regional languages, and if the Delhi University changes over to Hindi, there is nothing against the policy of the Government in this matter.

Shri Thanu Pillai: The Official Language Commission and the Committee of Parliament have decided to continue English for such time as is necessary, and if this change-over is made in the Central, all-India university, it affects the other people who cannot have any education in this university. Therefore whatever be their autonomy, may I know whether that autonomy can go to the extent of replacing the English language and picking up some new languages not known to anybody in this country?

Dr. K. L. Shrimall: I do not agree with the hon. Member; it may be his opinion. In my opinion, a university has full freedom in this matter, and since the university has decided to change over to Hindi, the Government will not interfere in the matter.

Shri Thanu Pillai rose—

Mr. Speaker: Order, order. What is the use of arguing this matter?

Shri Thanu Pillai: One more question, Sir. Has any university got the freedom to ban any students from entering the university because of certain nefarious policy?

Dr. K. L. Shrimall: The conditions are all governed by certain rules and regulations under the Act which is passed by the Parliament itself. The Parliament has not in the Act decided that the Government should interfere

in the day-to-day administration of the university, and in prescribing the courses and curricula. The Government have given certain freedom to the university in this matter, and the university is free to choose the medium of instruction.

Shri Khadiolkar: May I know whether it is a fact that when the decision was taken there was a difference of opinion in the Senate itself, and that over-riding the opinion of the Senate, the Vice-Chancellor took the decision regarding Hindi?

Dr. K. L. Shrimali: I am not aware of the details. It was a decision taken probably by the majority. I have no information about this. But as far as I know, the decision has been taken by the academic body of the university.

Shri H. N. Mukerjee: While the desirability of a change-over to Hindi and the other Indian national languages is absolutely incontestable, since Delhi University is a central university, directed by Government from the capital itself, and where students come from different parts of India because of a variety of reasons, may I know if Government will consider the desirability of holding its hand in regard to a change which should come first of all in the other universities where the regional languages should have precedence?

Dr. K. L. Shrimali: It is a suggestion for action.

Shri D. C. Sharma: It was announced in the newspapers that the university had drawn up a phased programme for the conversion of the medium of instruction from English to Hindi, and that phased programme was published in the papers. May I know what has happened now, so that the phased programme has been given up, and what has happened now so that the university is going again to consult the University Grants Commission? Was all that done without consulting anybody and without any scientific or linguistic preparation beforehand?

Dr. K. L. Shrimali: The presumption of the hon. Member is wrong when he said that the university has given up the programme. I have already said that the university has not given up the programme and it proposes to continue and stick to that programme.

Chairman, University Grants Commission

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S.N.Q. 7. { Shri S. M. Banerjee:
 { Shri Braj Raj Singh:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that Shri C. D. Deshmukh, Chairman of the University Grants Commission is to retire in January, 1961;

(b) whether under the rules he is not entitled to any extension beyond January, 1961;

(c) whether the opinion of the Attorney General of India has been sought;

(d) if so, what are his reactions;

(e) whether Government propose to change the rules in this connection; and

(f) if so, the reasons therefor?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) No, Sir.

The U.G.C. (Disqualification, Retirement and Conditions of Service of Members) Rules, 1956, provide that the Chairman shall retire on his completing the age of sixty-five, unless there is a contract to the contrary. As no such contract exists in the case of Shri Deshmukh, he is to retire on the 14th of January, 1961, when he completes the age of 65 years.

(c) and (d). The opinion of the Attorney-General was sought on the following questions:

(i) whether the relevant rule is ultra-vires of the U.G.C. Act, 1956; and

- (ii) whether Shri Deshmukh is entitled to continue as a member for the remaining period of six years from the date of his appointment as a member even after his retirement as the Chairman.

The Attorney-General advised that the said rule is not *ultra-vires* of the Act and the answer to the second question was in the negative.

(e) Government do not propose to change the rule with regard to the age limit.

(f) Does not arise.

Shri S. M. Banerjee: May I know whether it is a fact that the late Maulana Azad wanted Shri Deshmukh to continue even after the age of 65, that is, after January, 1961 also, and if so, may I know whether the Government propose to agree to that request?

Mr. Speaker: He said 'No'.

Dr. K. L. Shrimali: Shri Deshmukh has sent me a copy of the letter he received from a Minister which says that it was Maulana Azad's intention that Shri Deshmukh should complete his full term and that he might continue as long as he would like to continue.

Shri Tyagi: Which Minister was it?

Shri Braj Raj Singh: What is the name of the Minister who has sent such a letter, which the Education Minister is now referring to, and what is the contents of that letter? May I know whether that Minister was somehow connected with the late Maulana Azad? (Interruptions).

Dr. K. L. Shrimali: This letter was produced by Shri Deshmukh; it was written by Shri Humayun Kabir and Shri Humayun Kabir was said to be negotiating at that time. He was said to be the intermediary between Shri Deshmukh and Maulana Azad and it is on that basis that Shri Deshmukh got that letter.

Shri Tyagi: Did Shri Humayun Kabir write this letter as Secretary of the Education Ministry, or now, when he became a Minister? If he wrote it as a Minister, did he consult the Education Minister before he wrote that letter to Shri Deshmukh?

Dr. K. L. Shrimali: Shri Humayun Kabir did not consult me. He was also not in the Government as Education Secretary at that time.

Shri Raghunath Singh: May I know whether Shri Deshmukh had agreed to work on a salary of Re. 1 per mensem and, if so, what is the salary that he is getting at present?

Dr. K. L. Shrimali: In this connection, if you will permit me to read the correspondence between.....

Shri Raghunath Singh: My question is very simple: whether he had agreed to work on Re. 1 per mensem as salary, what he is getting at present, and since how long he is getting the present salary. (Interruptions).

Mr. Speaker: Order, order. It does not arise out of this question.

Shri Raghunath Singh: It arises, Sir. Shri Deshmukh is the Chairman of the University Grants Commission. It is a very important question, Sir.

Shri Ranga: Was there a condition precedent that he should agree to work on a salary of Re. 1 per mensem in order to be appointed as the Chairman?

Mr. Speaker: Evidently the hon. Member wants to know whether he would continue on Re. 1 per mensem if he should be continued. That is the point, I think.

Dr. K. L. Shrimali: The Chairman is drawing Rs. 3,000 at present. (Interruptions).

Shri Kalika Singh rose—

Mr. Speaker: Shri Kalika Singh.

Shri Raghunath Singh: I want to know since when he is getting Rs. 3,000 per mensem.

Dr. K. L. Shrimali: In the beginning, Shri Deshmukh desired to draw a token salary of Re. 1 per mensem, and orders were therefore issued accordingly. But these orders were effective from 5th November, 1956 to 28th February, 1957. On 16th April, 1957, orders were again issued authorising Shri Deshmukh to continue to draw the token salary from the year 1957-58. On 3rd April, 1958 the Secretary of the University Grants Commission informed this Ministry that Shri Deshmukh wanted to continue to draw the token salary from 1st March, 1958 to 29th February, 1959. Further on 30th March, 1959, Shri Iengar, Assistant Secretary, UGC, wrote to this Ministry that the Chairman has expressed the view that he would like to draw his full sanctioned salary for the post with effect from 1st March, 1959, i.e., the pay drawable on 1st April, 1959. Accordingly orders were issued fixing the salary of Shri Deshmukh at Rs. 3,000 per month exclusive of pension or pensionary benefits with effect from 1st March, 1959.

Some Hon. Members rose—

Mr. Speaker: Order, order. No hon. Member should stand while I am standing. So far as the salary is concerned, it does not arise straightaway from this question. I thought if there is a doubt whether he should be continued or not continued, the hon. Member wanted to say he may be continued on some terms without salary, or with salary which he originally agreed or which was fixed later on, etc. For that purpose, I allowed one question. I am not going to allow any more question.

Shri Kalika Singh: May I know whether the rule about retirement was not in existence at the time when Shri Deshmukh was appointed?

Dr. K. L. Shrimali: I shall explain the whole position with regard to this matter also. The position is, Shri Deshmukh was appointed as Chairman before the Act came into force. When the Act came into force, certain rules were framed. He was re-appointed as

Chairman when the Act came into force. The rules were framed simultaneously. Both the Act and the rules came into force simultaneously.

Shri Tyagi: Mine is not a controversial question. I want to know if he can place on the Table of the House the correspondence that has passed on between Shri Deshmukh and the Minister.

Dr. K. L. Shrimali: I am in your hands. If you want the correspondence to be placed on the Table, I have no objection.

Mr. Speaker: There is absolutely nothing secret about everything that has passed between an officer and the Government. He may place these papers on the Table of the House. What is the harm?

WRITTEN ANSWERS TO QUESTIONS

Coal Washeries

*1004, **Shri Rameshwar Tantia:** Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 67 on the 11th February, 1960 and state:

(a) the progress so far made in setting up of proposed new Coal washeries at Dugda, Patherdih and Bhojudih; and

(b) whether any plan for setting up new coal washeries according to the targets fixed for the Third Five Year Plan has been prepared?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) A statement is laid on the Table of the House. [See Appendix III, annexure No. 81].

(b) Yes, Sir.

Army Officers' Contributory Education Fund

*1009. **Shri Kalika Singh:** Will the Minister of Defence be pleased to state:

(a) the category of defence forces which would reap the benefit of the Army Officers' Contributory Education Fund;

(b) how many officers are at present contributing to the scheme;

(c) whether the scheme will be applied to less salaried defence employees also; and

(d) if not, the reasons therefor?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) All permanent regular commissioned officers of the regular Army are eligible for the benefits of the Army Officers' Contributory Education Fund.

(b) All permanent regular commissioned officers of the regular Army are contributing to the Fund. It is not in the public interest to disclose the total number of such officers.

(c) and (d). The Army Officers' Contributory Education Fund Scheme is intended only for the officers. For personnel other than officers, a similar scheme is being examined in the Services Headquarters.

Archaeological Excavation

*1010. { **Shri M. K. Kumaran:**
Shri Agasthi:
Shri Sugandhi:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that the Central Advisory Board of Archaeology has suggested that extensive excavations should be undertaken in Bikaner, Deccan and East India to get a full picture of the early cultures of India;

(b) if so, what steps Government have taken to implement the suggestion; and

(c) the estimated expenditure thereon?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) The matter is under examination.

(c) Expenditure will depend on the sites ultimately selected for excavation.

Cars given as Gifts

*1011. **Shri N. R. Muniswamy:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that many cars that were given as gifts in foreign countries are not being delivered in some ports; and

(b) if so, how many such cars are lying without delivery and in what ports during the year 1960, upto now?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) and (b). We have information of only one car, claimed to be a gift given in a foreign country, being detained by the Customs Department. This car is held up pending adjudication by the Madras Customs authorities, as it is not covered by an import licence.

Import of Special Steel

*1012. **Shri Chintamani Panigrahi:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) what was the total import bill of the country for special steel in 1959-60 and 1960-61 so far;

(b) whether Government have estimated the country's total requirement of special steel in consultation with the Engineering Export Promotion Council and Defence Department; and

(c) what are their positive proposals to meet this demand from steel manufactured in India?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Tool, Alloy & Special Steel valued at

about Rs. 4·947 crores and Rs. 5·559 crores, were imported in 1959-60 and April to August 1960, respectively.

(b) and (c). The requirements of Special Steels have been estimated by Government in consultation with the various interests concerned at about 200,000 tons per annum by the end of the Third Five Year Plan period. It has been decided to set up a Tool & Alloy Steel Plant in the Public Sector with a capacity of about 80,000 tons of ingots per annum, capable of expansion later. The question of licensing additional capacity is under examination.

National Archives

*1013. { Shri H. N. Mukerjee:
Shri Tangamani:

Will the Minister of Education be pleased to state:

(a) what are the reasons for the National Archives refusing research students free access to the 1901—19 political records;

(b) whether such restriction is not in contravention of the rule permitting free access to records that are forty or more years old; and

(c) whether the anomaly will be removed at once?

The Minister of Education (Dr. K. L. Shrimali): (a) Political records are regarded as confidential and their disclosure may not always be desirable or in the public interest. The secrecy of their contents cannot but be impaired by unrestricted free access to them. Indexes are, however, freely accessible to bona fide research students, and access to particular records selected by them is subject to the concurrence of the creating agency concerned.

(b) No, Sir.

(c) Does not arise.

Coal Shortage

*1014. Shri D. C. Sharma: Will the Minister of Steel, Mines and Fuel be

pleased to state:

(a) whether it is a fact that there is a great shortage of coal in Punjab due to the non-availability of wagons; and

(b) if so, the steps proposed to be taken in the matter?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Shortage have sometimes occurred in supplies to low priority consumers like the brick-burning industry and users of domestic soft coke.

(b) To meet the immediate situation, movement of coal is being arranged under priority. For future, it is proposed to create coal dumps at suitable places where coal may be moved in block trains of heavy capacity Box wagons and stocks built up.

Refinery in Gujarat

*1015. Shri Yajnik: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have appointed a Committee to select the location for an oil refinery in Gujarat; and

(b) if so, when the report will be received and decision taken in the matter?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). A team of officials is collecting preliminary data on the possible areas of location for the refinery in Gujarat. Their findings are likely to be available by about the end of December, 1960.

Directors of Palai Bank

*1016. Shri T. B. Vittal Rao: Will the Minister of Finance be pleased to state:

(a) whether any action has been taken against the Directors of Palai Central Bank held responsible for the mismanagement of the affairs of the Bank;

(b) if the reply to part (a) above be in the negative, the reasons therefor;

(c) how many depositors have so far been paid; and

(d) what is the amount involved?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) to (d). The Kerala High Court has finally ordered the winding up of the bank on the 5th December, 1960 and has appointed an official liquidator for the bank on the 8th December, 1960. It is, therefore, too early for the liquidator to take action, if any, against any director by way of misfeasance proceedings.

Prices of Cartridges and other Ammunition

***1017. Shri Mohan Swarup:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that prices of the cartridges and other ammunition are going higher and higher every day;

(b) whether it is also a fact that the cartridges manufactured by the Ordnance Factory in India are sold in black market and their price too is Rs. 75 per hundred; and

(c) if so, what steps Government are going to take to ease the situation and to ensure the adequate supply of the same?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The prices of cartridges and other ammunition produced in the Ordnance Factories are showing a downward trend. Cartridges 12-bore are sold at present at the wholesale price of Rs. 65 per hundred ex-Factory and at retail price of Rs. 75 per hundred. The price ex-Factory is expected to come down to Rs. 43 per hundred from 1st January, 1961 and Rs. 35 per hundred from 1st April 1961. Ex-Factory price of 315 ammunition has already been reduced from Rs. 75 to

Rs. 45 per hundred with effect from 1st November, 1960.

No specific complaint has been received that these cartridges are being sold in the black market.

(c) The Government propose to expand the output of the Ordnance Factories so that the scarcity is removed thus bringing the prices down.

Distribution of Kerosene Oil

***1018. Shri Keshava:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Indian Oil Co., entered into a contract for the supply of kerosene oil with the Punjab Oil Distributing Co. Ltd. on the 11th November, 1960;

(b) whether it has gone back on this contract;

(c) if so, the reasons therefor;

(d) whether a similar contract has been entered into in favour of the Western India Oil Distributing Co.; and

(e) whether this contract is kept up and if so, the reasons therefor?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) No contract was entered into by the Indian Oil Co. Ltd. on 11-11-1960, with the Punjab Oil Distributing Co. for supply of Kerosene Oil. However, under a short term arrangement negotiated between the parties subsequently, some quantity of Kerosene oil is being supplied for distribution to the Punjab Oil Distributing Co.

(b) Does not arise.

(c) Does not arise.

(d) No, Sir.

(e) Does not arise.

National Coal Development Corporation

***1019. Shri Morarka:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total amount spent by the National Coal Development Corpora-

tion during the Second Five Year Plan period so far;

(b) whether it has exceeded the original allocation; and

(c) if so, the reasons for exceeding the Plan allocations?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The National Coal Development Corporation has spent Rs. 17.11 crores upto March 31, 1960. A further expenditure of Rs. 22.12 crores is expected to be incurred during the rest of the current plan period.

(b) No.

(c) Does not arise.

Noise Survey in Delhi and Bombay

***1020. Shrimati Ila Palchoudhuri:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that a noise survey was recently undertaken by the National Physical Laboratory in Delhi and Bombay;

(b) if so, the findings of the survey; and

(c) the steps, if any, taken or proposed to be taken in connection therewith?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) The results show that the day time street noise level in most of the busy localities in these cities is excessive. In some localities even the night time noise levels are unduly high.

(c) As the formulation and enforcement of remedial or preventive measures against traffic noise rests with the Municipal authorities, a copy of the reprint of the paper on traffic noise in Delhi and Bombay published by the Laboratory has been forwarded to the Municipal authorities concerned.

Supersonic Aircrafts

***1021. Shri Raghunath Singh:** Will the Minister of Defence be pleased to state when the first model of supersonic aircraft which is being built at present at the Hindustan Aircraft Factory, Bangalore will be ready?

The Deputy Minister of Defence (Sardar Majithia): Expected to be early in 1961.

Service Conditions of L.I.C. Employees

***1022. Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether Whitley Council is likely to be established for the Life Insurance Corporation employees to discuss matters concerning service conditions;

(b) if so, when; and

(c) if not, what alternative is likely to be suggested?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) No, Sir.

(b) Does not arise.

(c) The Life Insurance Corporation has, under section 22(3) of the L.I.C. Act, appointed in each Zone, Employees and Agents Relations Committees, consisting of representatives of employees, agents and the Corporation for advising the Zonal Managers on matters relating to the welfare of employees and agents.

"Atomic Time-Clock"

***1023. { Shri H. N. Mukerjee:
Shri Tangamani:**

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there has been in India any utilization of the Nobel Laureate Dr. Willard F. Libby's method, known as the "atomic time-clock", for using carbon 14 for age determination in

archaeology, geology, geophysics and other branches of science, and

(b) if so, with what results so far?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) They have helped in estimating the age of an object excavated in the Mauryan site of Kumarhar and of the Rupkund remains collected by the Department of Anthropology.

University Libraries for Public

***1024. Shri Ram Krishan Gupta:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government have suggested to the universities to throw open library facilities to members of the public; and

(b) if so, the steps taken by universities in this regard?

The Minister of Education (Dr. K. L. Shrimani): (a) Yes, Sir.

(a) A statement is placed on the Table of the House. [See Appendix W, annexure No. 82].

Exchange of Scholars between China and India

***1025.** { Shri Raghunath Singh:
Shri Aurobindo Ghosal:
Dr. Ram Subbag Singh:

Will the Minister of Education be pleased to state whether Government of India have agreed to the exchange of scholars with China and whether six Indians are going to China soon?

The Minister of Education (Dr. K. L. Shrimani): Yes, Sir.

Ex-Army Pensioners in Defence Establishments

***1026.** { Shri S. M. Banerjee:
Shri Jagdish Awasthi:

Will the Minister of Defence be pleased to state:

(a) whether the Pay Commission's recommendations are not applicable to

ex-army pensioners re-employed in Defence establishments;

(b) if so, whether this question has been considered by Government; and

(c) if so, whether a final decision has been taken?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) The Pay Commission have not made any specific recommendations regarding retired personnel who are re-employed in civil posts in which category ex-Army pensioners re-employed in Defence establishments are included.

(b) and (c). The question is still under consideration of Government.

S.C. and S.T. in Madhya Pradesh

2048. Shri Pangarkar: Will the Minister of Home Affairs be pleased to state the amount granted by the Central Government in 1960-61 so far for the welfare of Scheduled Castes and Scheduled Tribes in Madhya Pradesh?

The Deputy Minister of Home Affairs (Shrimati Alva): The following ceiling for Central assistance has so far been fixed for the welfare of Scheduled Castes and Scheduled Tribes in Madhya Pradesh during 1960-61:—

Category	Ceiling fixed		
	State sector	Central sector	Total
(Rs. in lakhs).			
1. Scheduled Castes	7.21*	11.84	19.05
2. Scheduled Tribes	24.85*	237.15	262.00
TOTAL	32.06	248.99	281.05

*This represents only 50 per cent. of the total cost of the schemes

The sanction for the payment of grant will be conveyed at the end of the

current financial year on the basis of the actual expenditure in the first three quarters and the anticipated expenditure during the last quarter.

Mining Leases

2049. Shri Chintamani Panigrahi: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) what is the number of mining leases granted in Orissa during the last one year of Schedule IV Minerals i.e., Iron, Manganese and Chrome; and

(b) whether a statement showing the list of new concession holders for the past one year will be laid on the Table?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) During the year ending 30th November, 1960 (i.e. from 1-12-1959 to 30-11-1960), 25 mining leases were granted in Orissa for Iron, Manganese and Chrome.

(b) The following parties have been granted mining leases:

1. M/s. Tata Iron & Steel Co.
2. M/s. Karamchand Thapar & Bros.
3. M/s. B. Patnaik Mines (P) Ltd.
4. M/s. Serajuddin & Co.
5. Shri S. Lal.
6. National Mineral Development Corp. Ltd.
7. Shri D. H. Patel.
8. M/s. M. S. Das & Bros.
9. M/s. Bonai Industrial Co. Ltd.
10. Md. Habibur Rahman.
11. Shri S. K. Choudhury.
12. M/s. Orissa Mining Corporation Ltd.
13. M/s. Hindustan Steel Ltd.
14. M/s. Orissa General Agency.
15. Shri R. K. Kejriwala.
16. Shri S. L. Mediratta.
17. M/s. S. Lal & Co., Ltd.
18. Shri L. N. Agarwala.
19. Shri Pratap Keshari Deo.
20. The Bijoy Bhandara.
21. Shri B. C. Mohanty.

Iron Sheets for Uttar Pradesh

2050. Shri Sarju Pandey: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the demand of iron sheets by U.P. Government during 1959-60; and

(b) the extent to which the demand was met and the arrangements made by Government to provide more iron sheets to U.P. for various development projects?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The demand of sheets was 82,401 tons, against which 54,349 tons were allotted. Despatches during the period was, however, only 15,721 tons. Sheets are in short supply. Efforts are being made to import as much sheets as possible within the limited foreign exchange available.

Children's Book Trust

2051. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether the Children's Book Trust has submitted any annual report since it was established; and

(b) if so, whether a copy thereof will be laid on the Table?

The Minister of Education (Dr. K. L. Shrivastava): (a) No, Sir.

(b) Does not arise.

Tagore Birthday Centenary Celebrations

2052. Shri D. C. Sharma: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the total amount of money which has been granted for translation of Rabindranath Tagore's works into Punjabi Language on the occasion of Tagore's birthday centenary celebrations;

(b) the works of Tagore, which have been selected for translation into Punjabi Language on the occasion; and

(c) the names of the writers to whom the work of translation has been given by the Sahitya Akademi?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No specific amounts for different languages have been earmarked by the Sahitya Akademi for this purpose.

(b) and (c). The works and the names of the translators are as follows:—

1. Ekottarasati (101 Poems). Shri Devendra Satyarthi
2. Ekvinsati Shri Amar Bharat (21 short stories).
3. Three novels—
Gora. Shri Amar Bharati
Chokher Bali Shri Amar Bharati
Jogajog Shri Gur Nek Singh Taj.
4. Seven plays—
Visarjan Shri Kartar Singh Duggal.
Chitrangada Prof. Mohan Singh.
Chira Kumar Sabha Prof. Sujan Singh.
Raja Shri Kartar Singh Duggal.
Dakghar Shri Balwant Gargi
Mukta Dhara Shri Balwant Gargi.
Rakta Karabi Shri Balwant Gargi

Archaeological Excavations at Nagarjunakonda

2053. Shri Narasimhan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the number of senior and junior class I officers engaged in archaeological excavations at Nagarjunakonda;

(b) the nature of their duties previous to their being drafted for excavation work at Nagarjunakonda; and

(c) whether they have had any publications to their credit (i) before they came to Nagarjunakonda, and (ii) since they came?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) (i) Senior Officers—2.

(ii) Junior Officers—2.

(b) (i) 1. *Officer-on-Special Duty*.—Prior to his appointment as Officer-on-

Special Duty, he was working as Joint Director General of Archaeology since 1953 and was assisting the Director General of Archaeology in the different fields, including excavations, conservation etc.

2. *Superintendent*.—Prior to his appointment as Superintendent, he was working as Assistant Superintendent in the South-Eastern Circle and was assisting the Superintendent in carrying out the work of the circle, such as conservation, exploration and excavations.

(ii) 1. *Assistant Superintendent*.—Prior to his appointment as Assistant Superintendent, he was working as Technical Assistant and was carrying out technical duties in respect of excavations, explorations etc. at Headquarters.

2. *Assistant Superintendent*.—Prior to his appointment as Assistant Superintendent, he was working as Senior Draftsman and was supervising the work of drawings etc. of draftsman attached to the Headquarters Office.

(c) (i) and (ii). Yes, Sir.

Housing Schemes for Scheduled Castes in Mysore State

2054. Shri Siddiah: Will the Minister of Home Affairs be pleased to state:

(a) what is the amount sanctioned for Housing Schemes to Scheduled Castes in Mysore State in 1959-60;

(b) whether any amount has been spent for the construction of hostel buildings for Scheduled Castes out of the amount allotted for Housing Schemes; and

(c) the number of houses constructed or hostel buildings completed during the year?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). The information has been called for from the Government of Mysore and will be laid on the Table of the House as soon as it is received.

Welfare of Scheduled Castes in Mysore

2055. Shri Siddiah: Will the Minister of Home Affairs be pleased to state:

(a) the amount sanctioned so far, under the Second Five Year Plan, for the welfare of the Scheduled Castes in Mysore State; and

(b) the amount spent so far?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Rs. 41.30 lakhs under the Central Sector and Rs. 209.48 lakhs under the State Sector.

(b) Rs. 30.69 lakhs under the Central Sector and Rs. 156.39 lakhs under the State Sector.

Untouchability Offences Act

2056. Shri Siddiah: Will the Minister of Home Affairs be pleased to state:

(a) the number of persons who have been prosecuted in Mysore State during 1959-60 and 1960-61 so far under Untouchability Offences Act; and

(b) the number of persons convicted or acquitted?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Information is being collected and will be laid on the Table of the House in due course.

जबलपुर में प्रतिरक्षा मंत्रालय की भूमि

२०५७. सेठ गोविन्द दास : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि क्या गन-केरिज फैक्टरी, जबलपुर में स्थित निजी इमारतों के अधिग्रहण का प्रस्ताव अभी है या छोड़ दिया गया है और यदि यह प्रस्ताव कार्यान्वित किया जाना है तो उन मामलों की वर्तमान स्थिति क्या है ?

प्रतिरक्षा उपमंत्री (श्री रघुरामैया) : सुझाव अभी विचाराधीन है, और सरकार को अन्तिम निर्णय लेने में अभी कुछ समय लगेगा ।

Steel allotted to Mysore State

2058. Shri Siddiah: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total quota of steel allotted to Mysore State during the year 1960-61 so far; and

(b) how much has been actually supplied during the above period?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). For the year 1960-61, 81,546 tons have been allotted to the Mysore State. Actual supplies have been 12,103 tons from April to October 1960. During the period, the entire demand, except for sheets and wire, was allotted. The supply position, except for these two items, is now comparatively easier.

Aid to Sanskrit Organisation in Mysore

2059. Shri Siddiah: Will the Minister of Education be pleased to state:

(a) whether any grant has been given to the voluntary Sanskrit organisations or institutions working in Mysore State during the years 1959-60 and 1960-61 so far;

(b) if so, the names of the institutions and the amount given to each; and

(c) the purpose for which the amount has been utilised?

The Minister of Education (Dr. K. L. Shrimall): (a) No, Sir.

(b) and (c). Do not arise.

Amarpur-Udaipur Road

2060. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) whether Amarpur-Udaipur Road was transferred to the Tripura Territorial Council;

(b) whether the same road has been afterwards re-transferred to Tripura Administration; and

(c) if so, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The scheme for construction of Amarapur-Udaipur Road was transferred to the Territorial Council in July, 1958. As a result, however, of the discussion with the Territorial Council's representatives on the Third Five Year Plan and in consultation with the Council, the construction of the road has been taken over by the Administration with a view to ensuring speedy execution of the scheme.

Tripura Territorial Council

2061. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) whether Tripura Territorial Council has adopted any resolution for the transfer of additional subjects to Tripura Territorial Council;

(b) if so, the content of that resolution; and

(c) the decision, if any, taken by the Central Government on this resolution?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) The Territorial Council of Tripura has expressed the view that the provisions of the Territorial Council Act fall short of the hopes and aspirations of the people and that the Government should declare "all the remaining matters of the Administration of Tripura to be fit and proper matters to be taken under the control and administration of the Council."

(c) The question whether any changes or adjustments are necessary in the existing administrative set-up of the Union Territories is under consideration.

Gambling in Delhi

2062. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the total number of persons arrested for gambling in Delhi during

the second half of the year 1960 so far; and

(b) the number out of them convicted so far?

The Minister of Home Affairs (Shri G. B. Pant): (a) 1677 (from 1st July, 1960 to 30th November, 1960).

(b) 1494.

Banaras Hindu University

2063. Shri D. C. Sharma: Will the Minister of Education be pleased to state the total amount of loan or grant paid by the University Grants Commission to the Banaras Hindu University for the construction of hostels during 1959-60?

The Minister of Education (Dr. K. L. Shrimali): An 'on account' grant of Rs. 1,00,000 was paid by the University Grants Commission to the Banaras Hindu University during 1959-60 towards the construction of hostels.

Abduction Cases in Delhi

2064. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state the number of reported abduction cases of unmarried girls in Delhi during the period 1st July to 30th November, 1960 as compared to the figure for the corresponding period in the year 1959?

The Minister of Home Affairs (Shri G. B. Pant): Two such cases were reported during the period 1st July 1960 to 30th November, 1960, as against one case during the corresponding period of 1959.

Estate Duty

2065. Shri D. C. Sharma: Will the Minister of Finance be pleased to state the total amount collected as Estate Duty in Uttar Pradesh during the year 1958-59?

The Minister of Finance (Shri Morarji Desai): Rs. 10,07,000.

Crimes in Himachal Pradesh

2066. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of crimes committed in Union territory of Himachal Pradesh during the year 1959-60;

(b) the strength of the police in Himachal Pradesh for maintaining law and order and security of Union territory of Himachal Pradesh;

(c) the annual expenditure thereon; and

(d) whether the number of crimes during the year 1959-60 has increased or decreased as compared to those in 1958-59?

The Minister of Home Affairs (Shri G. B. Pant): (a)

1958	1854
1959	1663
1960	

(upto 31-11-60) 1578

(b) 2539.

(c) Rs. 34,68,196 during 1960-61.

(d) It has decreased.

Education in Punjab

2067. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Punjab Government have requested for additional money to enable them to fulfil their development plans for education in 1960-61;

(b) if so, for what schemes; and

(c) whether the Standing Committee of the Central Advisory Board of Education has considered such proposals?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir.

(b) For giving recurring grants to privately managed schools for their conversion into Multipurpose and Higher Secondary schools.

(c) No, Sir.

1667 (Ai) LS.—3

High Schools in Delhi

2068. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) the number of high schools started in Delhi during the Second Five Year Plan period;

(b) whether the number is adequate; and

(c) if not, the steps taken by Government in this regard?

The Minister of Education (Dr. K. L. Shrimali): (a) Delhi follows its own higher secondary pattern. No High School was, therefore, opened in Delhi during the Second Five Year Plan period. However, during this period 64 new Higher Secondary Schools were opened. In addition, 35 Middle/Senior Basic Schools and 90 High Schools were converted into Higher Secondary Schools.

(b) Yes, for the existing requirements.

(c) Does not arise.

Pay-scales of the Members of Central Information Service

2069. Shri Rajeshwar Patel: Will the Minister of Finance be pleased to state:

(a) whether Government have announced the pay-scales of the members of the Central Information Service; and

(b) if not, when the announcement will be made and what are the reasons for the delay?

The Minister of Finance (Shri Moarji Desai): (a) and (b). As stated in answer to starred question No. 772 in the Lok Sabha on the 7th December, 1960, the pay scales of the members of the Central Information Service have been finalised and they will be notified shortly.

Election Petition

2070. Shri Ram Krishan Gupta: Will the Minister of Law be pleased to refer to the reply given to Unstarred Question No. 178 on the 3rd August, 1960 and state:

(a) the nature of progress since made in the disposal of election petition in the name of Ch. Balbir Singh vs. Ch. Amar Singh; and

(b) the final date by which it will be decided?

The Minister of Law (Shri A. K. Sen): (a) The progress reported in reply to Unstarred Question No. 178 on the 3rd August 1960 referred to the period upto June 1960. Since then, the Tribunal has had twelve sittings—two in the month of July, one in August, one in September, six in October and two in December. In these sittings, thirtyeight witnesses were examined by the Tribunal.

(b) The Tribunal expects that the whole case is likely to be concluded in February 1961.

Indian Companies in Pakistan

2071. Shri Ram Krishan Gupta: Will the Minister of Finance be pleased to state:

(a) whether Government have progressed in their negotiations with Pakistan on the question of repatriating the profits of Indian companies and business operating there; and

(b) if so, the result thereof?

The Minister of Finance (Shri Morarji Desai): (a) No Sir. There has been no appreciable progress.

(b) Does not arise.

Pay-scales of Teachers

2072. Shri Ram Krishan Gupta: Will the Minister of Education be pleased to state at what stage is the proposal to appoint a High Powered Committee to consider the question of improving the pay-scales of teachers in relation

to the cost of living and the general national wage structure?

The Minister of Education (Dr. K. L. Shrivastava): No such proposal is under consideration.

पवन शक्ति

२०७३. श्री भक्त दर्शन : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री ३० मार्च १९६० के तारांकित प्रश्न संख्या ११४८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) पवन शक्ति का अलग डिब्बीजन स्थापित हो जाने के बाद से उसने अपने कार्य में अब तक क्या प्रगति की है;

(ख) जो दो सौ "पाइलट" पवन चक्कियां स्थापित करने का निश्चय किया गया था, उन्हें अब तक किन-किन स्थानों पर स्थापित किया जा चुका है; और

(ग) इस डिब्बीजन के कार्य को तेजी से आगे बढ़ाने के लिये किस प्रकार की योजना बनाई गई है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूँ कबीर) : (क) (i) उत्पादन के पहले एक बँच १२ पवन चक्कियों का बतौर आजमाइश बनाने का फैसला किया गया था। ये लगभग बन चुकी हैं।

(ii) उपयुक्त पानी की टंकियों के नमूनों का फैसला हो गया है और उनको बनाने के लिये आर्डर दे दिया गया है।

(iii) जम्मू और काश्मीर में लद्दाख जिले के लेह, चैशुल और कारगिल में पवन-चक्कियां लगाने की संभावना का पता लगाने के लिये सर्वेक्षण हो चुका है।

(iv) पश्चिम जर्मन सरकारने जो ६ किलो वाट का अल्लगेयर विड इलेक्ट्रिक जेनरेटर भेंट किया था, उसे पोरबन्दर में खापट कृषि फार्म में लगाया गया है।

(ख) ये जगहें सामुदायिक परियोजना केंद्रों और कुछ ग्राम्य क्षेत्रों से जानकारी इकट्ठी हो जाने के बाद चुनी जायेंगी।

(ग) (१) १२ यूनिट तैयार हो जाने और उनकी आजमाइश हो जाने के बाद २०० पवन चक्कियां बनाने का काम हाथ में लिया जायेगा।

(२) विड इलेक्ट्रिक जेनरेटरों की डिजाइन तैयार करने और उन्हें बनाने की संभावना पर विचार हो रहा है।

(३) राज्य सरकारों ने जो जगहें बताई हैं, उन में पवन चक्कियां लगाने की संभावना का पता लगाने के लिये, उनका सर्वेक्षण किया जायेगा। १९६१ की गर्मी में इस तरह का एक सर्वेक्षण लाहौर और स्पति में करने का इरादा है।

छावनियां

२०७४. श्री भक्त वंशन : क्या प्रतिरक्षा मंत्री यह बतान की कृपा करेंगे कि :

(क) सन् १९६०-६१ के वित्तीय वर्ष में लेंसडौन, चकरोता, लंडौर, नैनीताल, अल्मोड़ा, रानीखेत, देहरादून और क्लीमेंट टाउन के छावनी बोर्डों ने किन-किन विकास कार्यों के लिये कितनी-कितनी वित्तीय सहायता की मांग की थी;

(ख) उन में से प्रत्येक छावनी बोर्ड के प्रत्येक विकास-कार्य के लिये अन्तिम रूप से कितना अनुदान देना स्वीकार किया गया है;

(ग) इन विकास-कार्यों के निर्माण में अब तक क्या प्रगति हुई है; और

(घ) उपरोक्त छावनी बोर्डों को कितनी कितनी वित्तीय सहायता दी जायेगी ?

प्रतिरक्षा उपमन्त्री (सरदार मजीठिया) :

(क) से (घ). दो विवरण संलग्न हैं, जिन में आवश्यक सूचना दी गई है। [रेलिये परिशिष्ट ३, अनुबन्ध संख्या ८३]

(ग) सहायक अनुदान अभी हाल ही में स्वीकार किये गये हैं, और अभी से अधिक उन्नति की आशा करना नितान्त समयपूर्व होगा। तदापि सभी कामों के ३१ मार्च १९६१ से पहले सम्पूर्ण होने की सम्भावना है।

Films of Music Education

2075. { Shri R. C. Majhi:
Shri Subodh Hansda:

Will the Minister of Education be pleased to state:

(a) whether Government have collected and supplied to the International Music Council, Paris, films on music education prepared in our country; and

(b) if so, the names of such films?

The Minister of Education (Dr. K. L. Shrimall): (a) No, Sir.

(b) Does not arise.

Education of Tribal Children in Mother Tongue

2076. { Shri R. C. Majhi:
Shri Subodh Hansda:

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 414 on the 8th August, 1960 and state:

(a) the names of States where no steps have yet been taken to teach the Tribal children in their mother tongue; and

(b) whether it is a fact that Tribal children speaking one language but residing in different States are taught in the schools in their mother tongue in different scripts, such as the Santhal children in Bihar in Hindi scripts, and in Bengal in Bengali script?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). The

information is being collected and will be furnished in due course.

Research on Causes of Social Tension

2077. { Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any research is being made at present either by the Department of Anthropology or any other organisation about the causes of social tension;

(b) whether the reports of such researches carried out in the recent past have been published;

(c) if so, what they are; and

(d) whether Department of Anthropology have any scheme for such research in the immediate future?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No such research is being conducted by the Department of Anthropology at present. As regards other organisations, Government have no information.

(b) Yes, Sir.

(c) The reports are:—

1. The Tensional feelings among the Abor and Gallong as indicated by the Rorschach Technique (published in the Indian Journal of Psychology Vol. 30, 1955);
2. The Children of the Abor and Gallong (published in Education and Psychology, Monograph No. 32, Faiz Bazar, Delhi-7, 1959);
3. Studies in Social Tension among the refugees from East Pakistan (published in Memoir of the Department of Anthropology, No. 1, 1959); and
4. Psychological Factors in the Re-settlement of the Refugee

Population (published in the Indian Journal of Social Work, Vol. 18, 1957).

(d) No, Sir.

Anti-Social Elements

2078. Shri M. B. Thakore: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2667 on the 27th April, 1960 and state:

(a) whether it is a fact that some serious complaints have been lodged with the Police by guardians of the girls against some anti-social elements; and

(b) if so, the details thereof?

The Minister of Home Affairs (Shri G. B. Pant): (a) No.

(b) Does not arise.

Refund Week Observed by Income-tax Department

2079. Shri Aurobindo Ghosal: Will the Minister of Finance be pleased to state:

(a) whether the Income-tax Department observed a Refund Week in September, 1960;

(b) if so, in which Zone and what was the total amount refunded; and

(c) the reasons for the observance of this week?

The Minister of Finance (Shri Morarji Desai): (a) The Income-tax Department at Bombay only, observed a 'Refund Week' from 29th August, 1960 to 3rd September, 1960.

(b) The Refund Week was observed at Bombay. The total amount refunded was about Rs. 1,75,95,000.

(c) The purpose was to clear off the maximum number of refund claims through concentrated efforts in this behalf.

Indian Students in U.K. and U.S.A.

2080. { **Shri Indrajit Gupta:**
Shrimati Renu Chakravarty:

Will the Minister of Education be pleased to state:

(a) how many students have gone to U.S.A. and U.K. for study abroad during 1957-58 to 1959-60;

(b) how many are getting scholarships and stipends, Indian and foreign;

(c) how many have secured apprenticeships and lectureships;

(d) how many have gone on their own initiative and how many through the Indian Government;

(e) how many have been processed through the Government; and

(f) whether any criteria has been laid down by Government to be followed in processing such students?

The Minister of Education (Dr. K. L. Shrimali): (a) to (f). The requisite information is being collected and will be placed on the Table of the Sabha in due course.

भूतपूर्व शासक

२०८१. श्री डामर : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारतीय रिजर्वों के कितने भूतपूर्व शासक स्वतन्त्र रूप से या भारत सरकार के साथ में व्यापार कर रहे हैं; और

(ख) ऐसे कितने भूतपूर्व शासक पूर्ण रूप से या आंशिक रूप से विदेशों में जा बसे हैं ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :

(क) भारत सरकार के पास इस विषय में सूचना उपलब्ध नहीं है और उसको इकट्ठा करने में जितना समय और श्रम लगेगा उसके अनुरूप परिणाम प्राप्त नहीं होंगे ।

(ख) प्रश्न ही नहीं उठता ।

Smuggling of Ganja near Nepal Border

2082. **Shri Ram Krishan Gupta:** Will the Minister of Finance be pleased to state:

(a) whether any inter-state gang of ganja smugglers has been tracked down by the Bihar State police near Nepal Border in Champaran District;

(b) if so, the number of persons arrested and quantity of ganja recovered from them; and

(c) whether any of them belongs to any political party?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) 11 persons were arrested and contraband Nepali Ganja weighing 3 maunds 8 seers was recovered from them.

(c) Enquiries so far conducted have not revealed that any of the arrested persons belongs to any political party.

Mineral Wealth of Punjab

2083. **Shri Ram Krishan Gupta:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that Government have decided to accord high priority for further probe of the mineral wealth of Punjab; and

(b) if so, the details of the investigations programme to be started?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Systematic geological mapping and investigations of mineral deposits are being carried out in Punjab by the Geological Survey of India and will be continued for some years to come as this kind of work is unending.

(b) Details of the mineral investigations to be undertaken in Punjab by the Geological Survey of India during 1960-61 are as follows:—

1. Continuation of systematic mapping of the Dharamsala Mandi

area, Punjab, Himachal Pradesh.

2. Systematic mapping of Larji, Mandi and Sunder Nagar areas lying between the parallels of the latitudes 31 to 32° N and longitudes 76° 45' and 77° 30' E falling in topo-sheet Nos. 53 A/13, 14 and 15 and 53 E/I, 2, 3, 5 and 6.
3. Investigation of limestone deposits for the Nangal Fertiliser Factory.
4. Investigations of hot springs in the Kangra district.
5. Examination of the occurrences of lead, copper, pyrites, limestone and other minerals in the Simla Hills.
6. Investigation of sulphide mineralisation at Nandha, Gurgaon district.
7. Investigation of lead and associated metals in the Parvati Valley, Kulu sub-division, Kangra district.

Assistant Commissioner for S.C. and S.T.

2084. **Shri B. C. Mullick:** Will the Minister of Home Affairs be pleased to state:

(a) whether the proposal for re-organisation of the existing set-up of the organisation of the regional offices of the Assistant Commissioners for Scheduled Castes and Scheduled Tribes has since been considered; and

(b) if so, what is the nature of such new set-up?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The matter is under consideration.

Andaman and Nicobar Islands

2085. **Shri Raghunath Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether a large number of main-land persons have been appoint-

ed as local entrants in Government service in the Andaman and Nicobar Islands;

(b) whether it is true that such persons do not get benefits which are otherwise admissible to mainland recruits; and

(c) if so, the reasons for this discriminatory treatment among mainland persons under the islands' Administration?

The Minister of Home Affairs (Shri G. B. Pant): (a) 1775 persons belonging to the mainland but recruited locally were, as on 1st November, 1960, in the employment of Andaman and Nicobar Administration.

(b) Yes.

(c) There is no discrimination involved. Persons who of their own volition go to the Islands in search of employment have to be treated at par with the local residents of the Islands and so get the same terms and condition of service. Their case differs from that of persons sent on deputation from the mainland or recruited in the mainland for service under the Administration.

Smuggling of Watches

2086. **Shri Raghunath Singh:** Will the Minister of Finance be pleased to state how many smuggled watches were seized in India during the last six months and the number of cases instituted or registered against the smugglers?

The Minister of Finance (Shri Moraji Desai): 13,769 watches were seized as smuggled by the Customs, Land Customs and Central Excise authorities during the last six months (from the 1st June, 1960 to the 30th November, 1960). Departmental adjudication has been resorted to against the persons concerned in 558 of these cases and prosecution in the courts in 11 cases.

Asoka Pillar at Amarawati

2087. Shri Raghunath Singh: Will the Minister of Scientific Research and Cultural Affairs be pleased to state whether it is a fact that a block cut out of the Asoka Pillar has been found at Amarawati?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): A fragmentary record on a block of stone has been found. It is believed that this may have been cut out from a pillar of the Asokan type.

National Council of University Students of India

2088. Shri Aurobindo Ghosal: Will the Minister of Education be pleased to state:

(a) whether the University Grants Commission has sanctioned any annual grant to the National Council of University Students of India; and

(b) if so, the reasons therefor and the amount granted?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The University Grants Commission has sanctioned a sum of Rs. 3000 per annum to the Aligarh University to enable the Students' Union of the University to help the National Council of University Students' of India towards the administrative expenses of the Council.

Distribution, Storage and Unloading of Petroleum Products

**2089. { Shri Aurobindo Ghosal:
Shri Raghunath Singh:
Shri Yajnik:
Shri Ram Krishan Gupta:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Indian Oil Company has finalised the arrangements for unloading, storage and distribution of imported petroleum products from Russia; and

(b) if so, which are the ports selected for the said purpose?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The Indian Oil Company have prepared a working Plan of its organisation for the first phase ending March 1962. The programme includes establishment of main bulk storage installations for the discharge of shipments of imported petroleum products, at the ports of Bombay, Kandla, Cochin, Visakhapatnam and Calcutta. The Company are also establishing a number of storage depots and retail outlets in the up-country supply areas all over the country, for distribution and marketing of oil products.

1961 Census

2090. Shri Kalika Singh: Will the Minister of Home Affairs be pleased to state:

(a) the special features of the 1961 Census as improvement on the census of 1951;

(b) how the number and composition of households will be shown and whether it will be on the lines followed in Britain;

(c) whether occupational structure of the population groups will have a classification different from that adopted in 1951;

(d) if so, the details of the new system;

(e) whether attempt will be made to know how many people in India actually can speak Hindi, the official language of the Union as apart from the mother tongue;

(f) how age groups and economic, social and educational backwardness of different classes of people will be recorded; and

(g) whether Census will be taken to ascertain the number of vegetarians and non-vegetarians for purposes of changing food habits?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (g).

A statement is laid on the Table.
[See Appendix III, annexure No. 84.]

**हिन्दी टाइपिंग और शार्टहैंड सीखने वाले
केन्द्रीय सरकार के कर्मचारी**

२०६१. श्री प्रकाश वीर शास्त्री : क्या
गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली, कलकत्ता, मद्रास तथा
बम्बई में अलग-अलग कितने केन्द्रीय सरकार
के कर्मचारी हिन्दी टाइप तथा हिन्दी शार्टहैंड
का प्रशिक्षण प्राप्त कर रहे हैं;

(ख) क्या और भी किन्हीं शहरों में
ऐसे ही कुछ और केन्द्र खोलने का विचार किया
जा रहा है, यदि हां, तो कहां और कितने केन्द्र
खोले जायेंगे; और

(ग) इन केन्द्रों में अब तक कितने
सरकारी कर्मचारी प्रशिक्षण प्राप्त कर
चुके हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री
वातावर) : (क) एक विवरण पत्र नीचे दिया
जाता है ।

विवरण

केन्द्र का नाम	हिन्दी टाइप	हिन्दी शार्टहैंड
दिल्ली	३६६	१०३
कलकत्ता	२२६	
बम्बई	२१६	
मद्रास	१६१	..
कुल योग	१००२	१०३

(ख) अभी ऐसा कोई प्रस्ताव विचारा-
धीन नहीं है ।

(ग) २०६ ।

चतुर्थ श्रेणी के कर्मचारियों की याचिकाएँ

२०६२. श्री प्रकाश वीर शास्त्री : क्या
गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) चतुर्थ श्रेणी के कर्मचारियों द्वारा
जो याचिकाएँ अथवा आवेदन-पत्र दिये जाते
हैं क्या उन के निर्णय उन्हें लिखित रूप में बताये
जाते हैं अथवा मौलिक रूप में;

(ख) अन्य श्रेणी के कर्मचारियों द्वारा
जो याचिकाएँ अथवा आवेदन पत्र दिये जाते हैं
उन का उत्तर देने की क्या वही व्यवस्था है
जो चतुर्थ श्रेणी के कर्मचारियों के लिये है;

(ग) यदि नहीं, तो इस के क्या कारण
हैं;

(घ) जो व्यक्ति याचिका अथवा आवेदन
पत्र हिन्दी में लिख कर देते हैं क्या उन को
उस का उत्तर हिन्दी में दिये जाने की सभी
कार्यालयों में व्यवस्था है; और

(ङ) यदि नहीं, तो इस के क्या कारण
हैं और इस सम्बन्ध में क्या कोई अन्य व्यवस्था
की जायेगी ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :
(क) साधारणतया लिख कर ।

(ख) जी हां ।

(ग) प्रश्न नहीं उठता ।

(घ) और (ङ). नहीं; परन्तु यह
विचाराधीन है ।

हिन्दी पारिभाषिक शब्दावली

२०६३. श्री प्रकाश वीर शास्त्री : क्या
शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) शिक्षा मंत्रालय में हिन्दी पारि-
भाषिक शब्दावली तैयार करने के लिये
१९६०-६१ कुल कितनी समितियां बनाई
गई हैं;

(ख) इन समितियों ने १९६० के पहले दस महीनों में कितने पारिभाषिक शब्द तैयार किये; और

(ग) पारिभाषिक शब्दावली का कार्य कब तक पूर्ण होने की संभावना है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) १९६०-६१ वर्ष के दौरान में कोई नई समिति नहीं बनायी गई। हिन्दी में पारिभाषिक शब्दावली का विकास करने के लिए इस समय २४ विशेषज्ञ-समितियाँ काम कर रही हैं।

(ख) काम प्रारम्भ करने की तिथि से आज तक बनाये गये कुल १,३६,०६६ पारिभाषिक शब्दों में से २३,००० शब्द।

(ग) राष्ट्रपति के २७ अप्रैल, १९६० के आदेशानुसार वैज्ञानिक तथा पारिभाषिक शब्दावली के सम्बन्ध में एक स्थायी (स्टैंडिंग) आयोग की स्थापना की जा रही है जो अब तक किये गये कार्य की समीक्षा और वैज्ञानिक तथा पारिभाषिक शब्दावली का विकास करेगा। आशा की जाती है कि कार्य की प्रथम अवस्था आयोग के वास्तविक रूप में कार्यान्वयन करने की तारीख से ३ से ५ साल तक की अवधि के अन्तर्गत पूरी हो जायेगी।

वैज्ञानिक तथा तकनीकी शब्दावली के अतिरिक्त अन्य विषयों की शब्दावली के विकास के लिए एक "समीक्षा और समन्वय समिति" की स्थापना की जा रही है जो ऐसी शब्दावली की समीक्षा करके उसे अन्तिम रूप देगी।

शब्दावली विकास का कार्य सदा चलता रहता है इसलिए किसी समय-विशेष पर यह नहीं कहा जा सकता कि यह कार्य 'पूर्ण' हो गया।

Bennett, Coleman & Co., Delhi

2094. Shri Surendranath Dwivedy: Will the Minister of Home Affairs be pleased to state:

(a) whether any police assistance was given to the management of

Bennett, Coleman and Co., Delhi on the 2nd November, 1960 in connection with an industrial dispute;

(b) whether it is a fact that some C.I.D. constables were posted at the office of the company; and

(c) if so, for how many days and the reasons therefor?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). No. On 2nd November, 1960 one ASI, one H.C. and eight F.Cs were, however, supplied to the firm, on payment, for guarding the cash they had withdrawn from the bank and which was lying undisbursed in their office.

(c). The question does not arise.

Kerala High Court

2095. Shri Narayanankutty Menon: Will the Minister of Home Affairs be pleased to state:

(a) how many writ applications from awards of Industrial Tribunals and from orders and notifications made by authorities under various Labour legislations are pending before the Kerala High Court;

(b) how long these petitions have been pending; and

(c) how many such petitions have been pending for more than two years?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c) The information is being obtained and will be laid on the Table of the Lok Sabha.

Accountant General, Central Revenues Office

2096. Shri Subiman Ghose: Will the Minister of Finance be pleased to state:

(a) whether the duties of the Assistants in the Ministry and the selection Grade Upper Division Clerks in the office of Accountant General of Central Revenues are substantially the same all along;

(b) if so, the reasons for difference of pay and grade; and

(c) whether Government propose to put both the categories in the same scale?

The Minister of Finance (Shri Morarji Desai): (a). No, Sir.

(b) Does not arise.

(c) No such proposal is at present under consideration.

Fine on Cyclists in Delhi

2097. Shri Mohan Nayak: Will the Minister of Home Affairs be pleased to state:

(a) the number of cyclists prosecuted and fined during the months of September and October, 1960 in the Union Territory of Delhi under various offences;

(b) the number of cyclists injured and killed during the same period in various accidents; and

(c) what are the steps Government have taken to check the accidents?

The Minister of Home Affairs (Shri G. B. Pant): (a)

	September 1960	October 1960
Cyclists prosecuted .	11,588	12,081
Cyclists fined .	6,133	6,050
(b)		
No. of cyclists injured .	49	49
No. of cyclists killed	5	5

(c) The following measures have been adopted to prevent accidents:—

- (i) Five major roads (Faiz Road, Sikandra Road, Old Rohtak Road, The Mall Road near Timarpur bend and Ring Road) have been widened.

(ii) Two more electric signalling devices have been installed at the junction of Raj Path and Old Mill Road and Chelmsford Circus.

(iii) Six more cinemas have been given traffic safety slogan slides for display at all shows.

(iv) Taking a turn to the left when the STOP signal is given at a crossing has also been prohibited.

(v) One-way-traffic on service roads in Connaught Place area has been introduced.

(vi) The New Delhi Municipal Committee and the Delhi Municipal Corporation authorities have been moved to provide more cycle tracks for the safety of cyclists.

(vii) Traffic patrols on motor cycles are checking traffic violations at places other than road crossings to ensure that the traffic rules are complied with.

Purchase of Helicopters

2098. Shri D. C. Sharma: Will the Minister of Defence be pleased to state:

(a) the names of countries with which negotiations for the purchase of high altitude helicopters were made; and

(b) the outcome thereof?

The Deputy Minister of Defence (Sardar Majithia): (a) U.S.A. and U.S.S.R.

(b) A certain number of helicopters have been bought.

Survey of Nepal

2099. { **Shri Kodiyan:**
Shri Ram Krishan Gupta:

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that the Oil and Natural Gas Commission of

India has requested the Nepalese Government for permission to conduct survey within Nepal;

(b) if so, whether permission has been given in this connection; and

(c) the areas proposed to be surveyed by the Commission in Nepal?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir. The permission of the Nepal Government had been asked for carrying out a few geological traverses and to make seismic surveys along one profile in Nepalese territory.

(b) Yes, Sir.

(c) During 1959-60 field season, a geological party carried out a reconnaissance traverse near Amlekganj to Thankot in Birganj and Chispanigarhi districts in central part of Nepal. During the current field season a party has been detained to carry out 6 geological traverses in the Dang Valley, to cover about 180 miles.

Sale of Copra and Betelnuts

2100. Sardar A. S. Saigal: Will the Minister of Home Affairs be pleased to state:

(a) the quantities of copra and betelnuts sold by the Cooperative Societies in Car Nicobar and Nancowrie Group respectively to the licensed trading firms there during the year 1959-60; and

(b) the prices at which these were sold and the amount the societies received, over and above sale price, as their share in the profits of Car Nicobar Trading Co. and Nancowrie Trading Co.?

The Minister of Home Affairs (Shri G. B. Pant): (a) The quantities respectively are 33,02,274 lbs. of Copra and 3,69,612 lbs. of betelnuts.

(b) A statement showing the prices at which the copra and betelnuts were sold to the firms is laid on the Table. [See Appendix III, annexure No. 95]. As the Car Nicobar Trading Company and the Nancowrie Trading Company

have not yet declared their dividends pending audit of their accounts, the share in the profits cannot be determined.

Dearness Allowance for Teachers

2101. Shri Ram Krishan Gupta: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Government of India have asked the State Governments to make efforts so that dearness allowances payable to primary school teachers and Government servants drawing the same basic salary should be equalised; and

(b) if so, the nature of steps taken or proposed to be taken by the State Governments?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes Sir, the suggestion has been made to those State Governments where there is disparity so that they may examine the question.

(b) Their replies are awaited.

Chinese Arrested under Foreigners Act

2102. Shri Ram Krishan Gupta: Will the Minister of Home Affairs be pleased to state the number of Chinese and other foreigners arrested since the 1st April, 1960 under the Foreigners Act?

The Minister of State in the Ministry of Home Affairs (Shri Datar): The information is being collected and will be laid on the Table of the House in due course.

Radio-phone Link

2103. Shri D. C. Sharma: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 1119 on the 6th September, 1960 and state:

(a) the progress made so far in establishing a Radio-phone system along the 720 mile oil pipe-line in North East India; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Messrs Murphy Radio of U.K. have been awarded a contract for the design, supply and installation of Telecommunication|Telemetry|Telecontrol system for the Oil India Pipeline Project and the design work is now well advanced.

A team of Murphy engineers is at present in Assam carrying out the propagation survey, the results of which will be used in completing designing and locating radio repeater stations along the pipeline route. It is anticipated that installation of the system will commence in May, 1961.

Science Teachers in Government Girls Higher Secondary Schools Delhi

2104. **Sardar A. S. Saigal:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1132 on the 20th August, 1960 and state whether it is a fact that there are some Government girls higher secondary schools in Delhi which are still running without male teachers for various science subjects although such qualified male teachers are available in the Directorate of Education?

The Minister of Education (Dr. K. L. Shrimall): No, Sir.

Teachers in Delhi Education Directorate

2105. **Sardar A. S. Saigal:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that most of the teachers working in the Directorate of Education, Delhi have completed nearly five years of continuous and approved service and have not been declared as quasi-permanent; and

(b) if so, what steps Government propose to take in the matter?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). There are 220 teachers who have completed about five years of service and have not yet been granted quasi-permanent status. Out of these, 137 are ineligible for grant of quasi-permanent status as they are either medically unfit or over-age or do not possess the minimum academic qualifications prescribed for the posts they are holding. The cases of remaining 83 teachers are, however, under consideration.

Search for Fishermen in Bay of Bengal

2106. **Shri Tangamani:** Will the Minister of Defence be pleased to state:

(a) whether an I.A.F. Liberator Aircraft was sent in search of missing fishermen off the coast of Porto Novo in the Bay of Bengal on the 13th November, 1960;

(b) if so, what is the result of the search;

(c) how many fishermen were missing;

(d) whether the search party could find out any clue; and

(e) if so, the nature thereof?

The Deputy Minister of Defence (Sardar Majithia): (a) Yes. The State Government asked the Indian Air Force on 18th November, 1960 to undertake the search and it was undertaken on the following day.

(b) The search was not fruitful.

(c) According to the information originally received from the State Government, three fishermen were missing.

(d) No.

(e) does not arise.

Non-Resident Students Centres

2107. **Shri Ram Krishan Gupta:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that University Grants Commission has approved several schemes for setting up of centres for non-resident students submitted by a number of universities and affiliated colleges during 1959-60; and

(b) if so, the nature of the schemes?

The Minister of Education (Dr. K. L. Shrimali): (a) While in the case of affiliated Colleges, the University Grants Commission approved several schemes for establishment of Non-resident Students Centres during 1959-60, in the case of Universities such schemes were approved by the Commission during 1957-58 and 1960-61.

(b) A statement is laid on the Table.

STATEMENT

In the case of the Universities, the Non-Resident Students Centres consist of the following facilities:

- (a) One large Common room.
- (b) One room for indoor games.
- (c) One reading room and library.
- (d) One study room.
- (e) Cafeteria and kitchen.
- (f) Block of Bath room and Wcs.

A plinth area of 5 sq. ft. is allowed for the building. The total Plinth area to be provided in the building is to be determined by the gross number of students registered with the Students Centre. The Commission's assistance towards Non-Resident Students' Centres in the Universities is limited to a ceiling grant of Rs. 70,000 (NR) against an estimated average cost of Rs. 1 lakh. No recurring grants are payable to Universities under this scheme.

In the case of the Colleges, the Non-Resident Students Centres consist of the following facilities:

- (a) Canteen.

(b) Recreational room.

(c) A reading room.

(d) One or two bath rooms.

A plinth area of 2,000 sq. ft. has been approved for the buildings for such Non-Resident Students Centres in Colleges. The Commission's assistance for each centre is limited to a ceiling grant of Rs. 35,000 (NR) against an estimated average cost of Rs. 50,000. No recurring grants are payable to colleges under this scheme.

"Abadi" Areas in Delhi Villages

2108. Shrimati Sucheta Kripalani: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that at the time of first Bandobast (settlement) in the year 1908, certain areas were demarcated in each village in the Territory of Delhi for Abadi purposes;

(b) whether it is a fact that due to increase in population, the villagers have been demanding further expansion of the Abadi areas;

(c) whether it is also a fact that there is too much congestion in the Abadi areas and the villages have become virtually slums; and

(d) whether there is any proposal to expand the village Abadi areas.

The Minister of Home Affairs (Shri G. B. Pant): (a) The first settlement in Delhi was carried out in the year 1864 and was followed by revision settlements in 1880 and 1908-09. 'Abadi' sites were demarcated in the second revision settlement of 1908-09.

(b) Yes.

(c) In some villages there is growing pressure on available 'Abadi' land.

(d) Yes.

Oil Prospecting with Foreign Collaboration

2109. Shri Sarju Pandey: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that Government have decided to invite foreign experts to secure their co-operation in prospecting oil in the country;

(b) if so, the conditions on which they are being called; and

(c) the names of the countries that have agreed so far to send their experts agreeing to the conditions put forward by our Government?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Foreign oil companies were invited to send proposals to join oil prospecting in India and to depute their experts to study available technical data if desired.

(b) and (c). The terms and conditions contained in the proposals made by foreign oil companies for prospecting for oil in India are under consideration. As the negotiations are still going on, it is considered inadvisable in public interest to disclose the details.

Rat Menace in Tripura

2110. Shri Bangshi Thakur: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Joomias of Manikpur, Rajdhar, Malidhar, Baramanu, Bhaibon-chherah and Gobindabari, etc., villages of Kailasahar, Tripura, are facing serious economic crisis due to loss of crops by rats; and

(b) if so, what remedial measures the Government propose to take or if already taken what are those?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The information is being collected and will be laid on the Table.

Repayment of Loan by Joomias in Tripura

2111. Shri Bangshi Thakur: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the 'Joomias' of Bhatimasmara, near Kanchanpur of Dharmanagar Sub-Division, Tripura, have submitted, a petition to the Authority concerned stating that they are ready to repay two-third amount of the total loan and that one-third should be remitted because they are unable to pay the whole amount; and

(b) if so, what action Government propose to take?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The information is being collected and will be laid on the Table.

Implementation of Pay Committee Recommendations in Tripura

**2112. { Shri Bangshi Thakur:
Shri Dasaratha Deb:**

Will the Minister of Home Affairs be pleased to State:

(a) whether Pay Committee recommendations have been given effect to as far as Employees of Tripura Administration and Tripura Territorial Council are concerned;

(b) if so, how the new pay scales compare with the previous pay scales of class I to class IV employees; and

(c) if the reply to part (a) above be in the negative, when it will be given effect to?

The Minister of Home Affairs (Shri G. B. Pant): (a) to (c). The proposals of the Tripura Administration based on the report of their Pay Committee were received recently and are under active examination.

Revenue Collections in Madras State

2113. Shri Dharmalingam: Will the Minister of Finance be pleased to state the amount of money collected by the Government of India by way of Taxes and other Revenue measures in the Madras State during 1960-61 so far?

The Minister of Finance (Shri Morarji Desai): The amount of money collected from direct and Indirect

Taxes in the Madras State during the period from 1st April, 1960 to 31st October, 1960 was Rs. 38,37,24,000.

The receipts under various major heads in the group "Civil Administration, Currency, Mint, Civil Works etc." are receipts not on account of any revenue measures adopted, but on account of services rendered and supplies made and are, therefore, not included in the above figures.

Ancient Monuments

2114. { Shri H. N. Mukerjee:
Shri Tangamani:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that some ancient monuments are still being used for running Government offices and law courts;

(b) whether it is also a fact that Thirumal Naik Palace, Madurai is used as court houses for Madurai and Ramnad districts; and

(c) if so, whether Government will take steps to shift courts to different buildings and keep the palace for the benefit of visitors?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) Yes, Sir.

(c) As it has decided to deprotect the palace, the question of shifting of courts to a different place does not arise.

Tenth Report of Law Commission

2115. { Shri B. D. Misra:
Shri S. N. Ramaul:
Shri Naraindin:
Sardar A. S. Saigal:

Will the Minister of Law be pleased to state:

(a) whether Government have adopted the tenth report of the Law Commission; and

(b) if so, what steps have been taken to make the necessary amendments in the Land Acquisition Act, I of 1894 as suggested by the Law Commission?

The Minister of Law (Shri A. K. Sen): (a) and (b). After circulation of the report to State Governments for comments an exploratory conference of State representatives at official level was held at Delhi on 30th August, 1960 to ascertain the views of the State Governments on the report. At this conference divergent views were expressed on some of the important recommendations of the Law Commission. After this conference a meeting of representatives of the administrative Ministries concerned and of the Law Ministry was held on the 28th October, 1960 to consider the further action which may be taken on the report in the light of the discussion at the conference with the State representatives.

It is now proposed to consult the State Governments once again on the basis of a tentative draft Bill to be prepared in the light of the above discussions.

Census

2116. **Shri P. C. Borooah:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Union Government have given instructions to the Census Commissioner regarding the definition of "mother-tongue";

(b) if so, what are they; and

(c) what is the reason for recording "mother tongue" instead of the "Language of the person"?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes.

(b) 'Mother-tongue' has been defined as 'language spoken in childhood by the person's mother to the

person or mainly spoken in the household'. If the mother died in infancy the language mostly spoken in the person's home will be taken as mother-tongue. In the case of infants and deaf mutes the language usually spoken by the mother is the mother-tongue.

(c) 'Mother-tongue' is a term which is universally understood. The definition which has been adopted is easily understood by people. It is not possible to define in precise terms 'language of the person'.

American Coal Mission

2117. Shri Kunhan: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have received any report from the American Coal Mission which visited India recently; and

(b) if so, the details thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Yes; the report covers a wide ground and includes such aspects as research, training of personnel, transportation facilities and employer-employees relations.

Manipur Police

2118. Shri Braj Raj Singh: Will the Minister of Home Affairs be pleased to state:

(a) the number of cases detected by the Vigilance Department (Branch) of Police, Manipur Administration since its inception;

(b) the number of cases prosecuted; and

(c) the number of Class I, II, III Officers involved?

The Minister of Home Affairs (Shri G. B. Pant): (a) Fifteen.

(b) In five cases departmental inquiries have been started. In other cases investigations are in progress. There has been no prosecution in a court of law so far.

(c) In all, twenty-three officers are involved of whom one is a Class I, four are Class II and eighteen are Class III officers.

Grants to Educational Institutes in Punjab

2119. Shri Daljit Singh: Will the Minister of Education be pleased to state:

(a) the number of educational institutes of Punjab, which applied for non-recurring grants during 1960-61 so far; and

(b) the grant sanctioned to each of these institutes?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

Scientific Research in Punjab University

2120. Shri Daljit Singh: Will the Minister of Education be pleased to state the nature of facilities given to Punjab University during the last four years for scientific research and study?

The Minister of Education (Dr. K. L. Shrimali): The information is being collected and will be laid on the Table of the Sabha in due course.

S.C. and S.T. Welfare in Himachal Pradesh and Punjab

2121. Shri Daljit Singh: Will the Minister of Home Affairs be pleased to state:

(a) the amount sanctioned so far for the welfare of Scheduled Castes and Scheduled Tribes under the Second Five Year Plan to Himachal Pradesh and Punjab separately; and

(b) the amount spent so far out of these allocations?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). A statement giving the required information is laid on the Table of the House. [See Appendix III, annexure No. 86].

12.22 hrs.

PAPERS LAID ON THE TABLE

REPORT OF INDIAN DELEGATION TO THE
MEETINGS OF BOARD OF GOVERNORS
OF I.M.F., ETC.

The Minister of Finance (Shri Morarji Desai): I beg to lay on the Table a copy of Report of the Indian Delegation to the Fifteen Annual Meeting of the Boards of Governors of the International Monetary Fund and International Bank for Reconstruction and Development and the Fourth Annual Meeting of the Board of Governors of the International Finance Corporation. [Placed in Library. See No. LT-2547/60].

AMENDMENT TO COAL MINES (CONSERVATION AND SAFETY) RULES

The Minister of Steel Mines and Fuel (Sardar Swaran Singh): I beg to lay on the Table a copy of Notification No. G.S.R. 1456 dated the 10th December, 1960 making certain amendment to the Coal Mines (Conservation and Safety) Rules, 1954, under sub-section (4) of Section 17 of the Coal Mines (Conservation and Safety) Act, 1952. [Placed in Library. See No. LT-2548/60].

CORRIGENDUM TO MINERAL CONCESSION RULES

The Minister of Mines and Oil (Shri K. D. Malaviya): I beg to lay on the Table a copy of Notification No. G.S.R. 1459 dated the 10th December, 1960 containing corrigendum to the Mineral Concession Rules, 1960, under sub-section (1) of Section 28 of the Mines and Minerals. (Regulation and Development) Act, 1957—[Placed in Library. See No. LT-2549/60].

ESTIMATES COMMITTEE

NINETY-NINTH REPORT

Shri Dasappa (Bangalore): I beg to present the Ninety-ninth Report of the Estimates Committee on the Ministry of Health on the action taken by
1667 (Ai) LS.—4

Government on the recommendations contained in the Thirty-sixth Report (Second Lok Sabha) of the Estimates Committee on the Ministry of Health Medical Services (PART I).

12.23 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

OFFENSIVE LAUNCHED BY JOTEDARS
AGAINST KURFA SUB-TENANTS IN
TRIPURA

Shri Dasaratha Deb (Tripura): Under Rule 197, I beg to call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:—

“The situation arising out of the offensive reported to have been launched by Jotedars against ‘Kurfa’ sub-tenants at Baisnabpur in Tripura.”

The Minister of Home Affairs (Shri G. B. Pant): May I place this statement on the Table of the House, because it does not interest a vast majority of the House?

Mr. Speaker: Yes.

Shri Dasaratha Deb: He can give a brief summary of the statement.

Shri G. B. Pant: I am placing the whole statement on the Table. [See Appendix III, annexure No. 87].

Shri Dasaratha Deb: I may be allowed to put some questions. May I know if the Government are aware that those Mag tenants have been occupying the land in question for the last 40 years and the ex-District Magistrate, Shri M. Ramunny had issued order to the S.D.O., Sabroom to see that the Mag peasants were not evicted from the land, but the local officers have flouted that order and backed the jotedar to evict Mags? Secondly . . .

Mr. Speaker: I am not going to allow.

Shri Dasaratha Deb: It is a very important question, Sir. Secondly, was it also a fact that none of the eleven refugee families who were reported to have purchased the land from the jotedar was present when the incident took place and the reported murdered person was one of those who had been hired by the jotedar to drive the Mag tenants out of the field? May I know if any person from the jotedar's side has so far been arrested and if not why not?

Shri G. B. Pant: All these are covered by the statement I have laid on the Table.

12.26 hrs.

STATEMENT RE: SITUATION IN
LAOS

Shri G. B. Pant: May I make the statement on behalf of the Prime Minister?

Mr. Speaker: Yes.

Shri G. B. Pant: After severe fighting in Vientiane, there appears to be now some lull and the forces of General Phoumi Nosavan appear to be in control of the Vientiane. We have received information that the embassy personnel is safe. Some of the women and children of the embassy personnel managed to leave Vientiane and reach Bangkok. A party of them who were flown out from Bangkok reached Delhi on Saturday, 17th December, 1960. Our embassy in Bangkok has been authorised to give the evacuees any assistance that may be necessary.

12.27 hrs.

ACQUIRED TERRITORIES (MER-
GER) BILL AND CONSTITUTION
(NINTH AMENDMENT) BILL—
Contd.

Mr. Speaker: The House will now take up further consideration of the following motions moved by the Prime Minister on the 19th December, namely;—

"That the Bill to provide for the merger into the States of Assam, Punjab and West Bengal of certain territories acquired in pursuance of the agreements entered into between the Governments of India and Pakistan and for matters connected therewith, be taken into consideration."

"That the Bill further to amend the Constitution of India to give effect to the transfer of certain territories to Pakistan in pursuance of the agreements entered into between the Governments of India and Pakistan, be taken into consideration."

Out of 7 hours allotted for the consideration stage, 4 hours and 50 minutes have been taken. Balance will be 2 hours and 10 minutes.

Shri Braj Raj Singh (Ferozabad): The time may be extended. All those who want to speak may not get a chance if the time is only 7 hours.

Shri Khadilkar (Ahmednagar): There is very little in clause by clause consideration.

Mr. Speaker: We have allotted 3 hours for clause by clause consideration.

Shri Khadilkar: 2 hours will be enough for that.

Mr. Speaker: All right. No hon. Member need take part in the third reading. I will put it to the House.

Shri Khadilkar: Yes.

Mr. Speaker: Let it not be said that somebody wants to speak at that stage. Time will be extended by 1 hour more. So, we will have 3 hours 10 minutes. For the clauses, at least for one of them, a special majority is necessary. We must finish this by 3.45. Shri Vajpayee may continue his speech.

Shri Vajpayee (Balrampur): May I know why the Prime Minister is not present?

Mr. Speaker: He will come.

Shri Vajpayee: When will he come?

Mr. Speaker: The Home Minister will take notes.

Shri Vajpayee: Is it the Home Minister who is going to reply to the debate or is it the Prime Minister?

Mr. Speaker: It is too much for any hon. Member to expect that at all times and all hours, the hon. Prime Minister or any Minister should be present here. There are occasions when they may not be able to be present. There is the other House also, and there is other work also, so far as the Prime Minister is concerned. Therefore, notes will be taken by the Home Minister and the Prime Minister will be informed.

The Minister of Home Affairs (Shri G. B. Pant): The Prime Minister is taking part in the debate on the international situation in the other House. He cannot be present in both the Houses at the same time.

Shri Vajpayee: Then that debate should not be held on these two days.

Shri G. B. Pant: That has been fixed by the other House.

Mr. Speaker: The hon. Member has already taken two minutes on this discussion. I will reduce it from his allotted time.

Shri Vajpayee: No, Sir. That should not be done.

अध्यक्ष महोदय, कल मैंने निवेदन किया था कि नेहरू-नून समझौता करने से पूर्व प्रधान मंत्री जी ने इस सदन को विश्वास में नहीं लिया। इससे पूर्व भी अनेक अवसर ऐसे आये हैं जब विदेशों के साथ महत्वपूर्ण प्रश्नों के ऊपर इस संसद को विचार करने का अवसर नहीं दिया गया।

12.31 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

प्रश्न केवल बेरूवाड़ी का ही नहीं है। अंग्रेजी सरकार के जाने के बाद भारत को तिब्बत में जो अधिकार मिले थे उन अधिकारों को हमने छोड़ दिया और उस विषय में कभी भी संसद की स्वीकृति के लिये उस प्रश्न को उपस्थित नहीं किया। तिब्बत में अपने अधिकार छोड़ते समय हमने इस बात को भी ध्यान में नहीं रखा कि उस प्रश्न को सीमा के विवाद से जोड़ दें और हमारा जो भी सीमा का स्यायित्व है, उसके संबंध में हम चीन की पुष्टि कर लें। बर्मा के संबंध में भी हमारे प्रधान मंत्री जी इसी प्रकार की अनुचित सुविधा देने के दोषी हैं। जब देश स्वाधीन हो गया तो बर्मा के ऊपर हमारा ८८ करोड़ का कर्जा था। उस कर्ज को माफ करने से पहले इस संसद को विश्वास में नहीं लिया गया। वहां के जो भारतीय हैं, उनकी सम्पत्ति जो आज कठिनाई में पड़ी हुई है, उन प्रश्नों का भी विचार नहीं किया गया। बाद में हमने २० करोड़ का ऋण बर्मा को और भी दिया। मैं समझता हूं कि समय आ गया है जबकि सरकार को अन्तर्राष्ट्रीय संधियां और समझौते करने का जो अधिकार दिया गया है, उस अधिकार को प्रतिबन्धित किया जाये। अगर संविधान में संशोधन होना चाहिये तो बेरूवाड़ी को पाकिस्तान को सौंपने के लिये ही नहीं बल्कि सरकार को ये जो संधियां इत्यादि

[श्री वाजपेयी]

करने का अधिकार है, इसको लेकर संशोधन इस तरह का होना चाहिये कि वे संविधानों तब तक मान्य नहीं होंगी जब तक कि इन संविधानों के ऊपर संसद की स्वीकृति प्राप्त नहीं कर ली जाते। संविधान करने का जो अधिकार दिया गया है, उसका दुरुपयोग किया जा रहा है और समय आ गया है कि इस अधिकार को मर्यादित किया जाये। बेल्वाड़ी का सवाल हो या पाकिस्तान से नहरी पानी समझौता करने का सवाल हो या पश्चिमी पाकिस्तान से पूर्वी पाकिस्तान को रेल गाड़ी ले जाने का सवाल हो, सरकार को संसद के विचार जानने के बाद ही कोई काम करना चाहिये।

दूसरी बात मैं यह कहना चाहता हूँ कि कल अध्यक्ष महोदय के निर्देश पर लाइब्रेरी में कुछ नक्शे रखे गये थे और अनेक सदस्यों ने जाकर उन नक्शों को देखा। एक नक्शा तो वह था जिसे पश्चिमी बंगाल सरकार ने तैयार किया है और एक नक्शा ऐसा था जिस पर कि जस्टिस रेडक्लिफ के दस्तखत बताये जाते हैं। उन नक्शों के साथ जब हमने रेडक्लिफ एवार्ड में दी गई व्याख्या को पढ़ा तो हम यह समझने में असमर्थ रहे कि आखिर बेल्वाड़ी को पाकिस्तान को देना प्रधानमंत्री जी ने क्यों स्वीकार कर लिया। मैं यह भी जानना चाहता हूँ कि वह कौन सा नक्शा था जिसको सामने रख कर भारत और पाकिस्तान के प्रधान मंत्रियों ने बातचीत की। किस नक्शे को सामने रख कर बेल्वाड़ी का विभाजन करने का फैसला किया गया। यह भी स्पष्ट किया जाना चाहिये कि आखिर कौन से कारण हैं जिन के आधार पर हम यह समझते हैं कि अगर किसी अन्तर्राष्ट्रीय पंच को हमने फैसले के लिये पाकिस्तान द्वारा उठाये गये बेल्वाड़ी के विवाद को सौंप दिया तो पूरा बेल्वाड़ी चला जायेगा? हमारा जो केस है उसमें कहाँ कठिनाई है। कल नक्शे को देखने के बाद और रैगिलफ एवार्ड पढ़ने के बाद हम लोगों का तो यही मत बना कि भारत

का केस मजबूत था और हमें किसी भी स्थिति में आधा बेल्वाड़ी पाकिस्तान को देने के लिए तैयार नहीं होना चाहिये जब अगर अगर मामला अन्तर्राष्ट्रीय पंच को जाता तो इस बात की पूरी संभावना थी कि हमारे पक्ष में ही फैसला होता। कौन से ऐसे कारण हैं जिन से प्रेरित होकर सरकार ने बेल्वाड़ी को पाकिस्तान को देना स्वीकार कर लिया।

इस बात का भी स्पष्टीकरण होना चाहिये कि जब आधा बेल्वाड़ी पाकिस्तान को देना मान लिया गया और प्रधानमंत्री जी के सामने स्पष्ट था कि वहाँ पर पूर्वी बंगाल से उजड़े हुये बंधु रहते हैं जिनको कि एक बार फिर से बेचरबार होना पड़ेगा, तो क्या पाकिस्तान के सामने इस बात को रखा गया था पाकिस्तान से कोई आश्वासन लिया गया कि उनकी सम्मति सुरक्षित रहेगी या उसका उन्हें पूरा मुआवजा मिलेगा? जैसा कि प्रधानमंत्री जी ने कहा है कि अगर उन्होंने पूर्वी पाकिस्तान में जाने का निर्णय किया तो उनके साथ उचित व्यवहार होगा, मैं जानना चाहता हूँ कि क्या पाकिस्तान से इस बात की गारण्टी ली गई है कि वह उनके साथ उचित व्यवहार करेगा? क्या दोनों प्रधान मंत्रियों ने इस समझौते को कार्यान्वित करने के बाद जो छः हजार व्यक्तियों पर असर पड़ेगा, उनका क्या होगा, इस बारे में भी विचार किया है?

प्रधानमंत्री जी का यह कहना कि इन विस्थापित होने वाले व्यक्तियों का हम स्वागत करेंगे, आज की स्थिति में कोई बड़ा अर्थ नहीं रखता। पूर्वी बंगाल से जो विस्थापित आये हैं, उनके प्रति भारत सरकार अपने कर्तव्य का पालन नहीं कर सकी है....

श्री विभूति मिश्र (बगहा) : पालन किया है। मेरे जिले चम्पारन में ही चालीस हजार विस्थापितों को बसाया गया है। मैं आपको.....

उपाय महोदय : अब आप भी तो नियमों का पालन करें ।

श्री वज्रेश्वरी : मैं जानना चाहता हूँ कि जो बसाये जा चुके हैं उनके अलावा ऐसे कितने विस्थापित हैं जिन को अभी बसाना बाकी है । और आप बसाने के लिये दण्डकारण्य ले जायें, तो इससे किसी का समाधान नहीं हो सकता । लेकिन जो विस्थापित अब भारत आये, उनको सम्पत्ति का क्या होगा, पाकिस्तान कितना मुआवजा देगा, इसकी भी मांग क्या पाकिस्तान से की गई है ? उन्हें अपनी सम्पत्ति साथ लाने की छूट होगी या नहीं अगर वे पाकिस्तान में रहने का फैसला करते हैं तो उनके साथ पाकिस्तान किस तरह का व्यवहार करेगा, क्या ये सब चीजें पाकिस्तान के साथ समझौता करते समय उठाई गई थीं और अगर नहीं उठाई गई तो आज किस आधार पर कहा जा सकता है कि वे पाकिस्तान में रहना चाहें तो भारत के नागरिक रह कर भी पाकिस्तान में रह सकते हैं ? अगर वे पाकिस्तान वे पाकिस्तान में रह सकते होते तो एक बार उजड़ कर पाकिस्तान से आते नहीं ।

मेरा निवेदन है कि इस समझौते को कार्यान्वित करने से पूर्व इस बात की आवश्यकता है कि इस के सम्बन्ध में जनमत लिया जाये । मैं ने एक संशोधन उपस्थिति किया है कि जनता की राय जानने के लिये इन विधेयकों को प्रचारित किया जाना चाहिये । आम चुनाव निकट आ रहे हैं । नेहरू-नून समझौते को अमल में लाने का काम अगर डेढ़ दो साल तक रोका जा सकता है तो इन विधेयकों को वैधानिकता का जामा पहनाने के काम को भी रोका जा सकता है । कल प्रधान मंत्री जी ने बताया कि नेहरू-नून समझौते को कार्यान्वित करने के लिये कोई डेट-लाइन नहीं है, कोई तिथि निश्चित नहीं है जिसके अन्तर्गत यह समझौता कार्यान्वित होना ही चाहिये । मेरा निवेदन है कि यह सदन

बड़ी गलती करेगा, इस सदन के प्रति जनता ने जो विश्वास रखा है, उस विश्वास को झुठलाया जायेगा अगर ऐसे महत्वपूर्ण प्रश्न पर जनता की राय जाने बिना कोई फैसला कर लिया जायेगा । इसलिये मैं सदन से अपील करूंगा कि इन विधेयकों को जनमत जानने के लिये प्रचारित करने का जो मेरा संशोधन है, उसका स्वीकृत कर लिया जाये ।

Mr. Deputy-Speaker: Acharya Kripalani. I have to make one request. There is a very large number of hon. Members who desire to speak still and the time is very limited. Therefore I will request hon. Members to condense their remarks. Probably they will agree to the time limit of ten minutes, at the most in some cases fifteen minutes.

Pandit K. C. Sharma (Hapur): Ten minutes are enough.

Acharya Kripalani (Sitamarhi): Mr. Deputy-Speaker, Sir, we are discussing today two very delicate questions. One is connected with an agreement made by our Government with a foreign power and another, arising from it, is the change in our Constitution. In a democracy, unlike in a dictatorship, power is not concentrated in one individual, in one centre or in one department. All democracies work through, what are called, balances and checks. We have a written Constitution and in that Constitution the power that each person is to exercise is limited. The power of the President, as the Executive is very anxious to tell us, is limited. So, the power of the Prime Minister is limited, the power of the Cabinet is limited, the power of the judiciary is limited and the power of this House is also limited excepting when it changes the Constitution and even when it does so, those who framed the Constitution decided that this must be done in a particular manner which is difficult because the framers of the Constitution were contemplating that there will be two

[Acharya Kripalani]

parties, or at least two parties, equally balanced and it will be found difficult to change the Constitution; that it is necessary that the Constitution be changed rarely and also that it should not be changed just to support what the Executive in its folly, in its carelessness, in its indifference has done.

Today we have in India a dominant party. It has a crushing majority. It uses that majority in a crushing manner to justify its actions after they have been committed. If this goes on then all the democracy that we have will be, in parliamentary language, to tell the Executive that it is foolish, it is unpatriotic, it does not think in terms of the advantage of the nation.

Shri Tyagi (Dehra Dun): The word 'foolish' is unparliamentary. It may be unwise.

Mr. Deputy-Speaker: It should be decided in the context in which it is used. Foolish is not a word about which it can be said that it is always unparliamentary or always parliamentary. He has taken it in an abstract sense. Therefore we should not object to it.

Acharya Kripalani: Moreover I said that it can be told in parliamentary language that it is foolish, it is unpatriotic, it does not love its country.

Shri Tyagi: What is this?

Acharya Kripalani: All the freedom that we have is that when we tell them these things they cannot physically liquidate us. Is that enough for a functioning democracy, namely, that we should be able to call them fools in parliamentary language? I do not think it is enough. We must proceed further and make democracy to function not negatively but positively. That means that the Opposition must have influence on the Government and the Government must not use its majority to change the Constitution so frequently as it has been doing.

The question of Berubari is a very plain question. It is not a very complicated question. There were two arbitrators appointed one after the other. Whether before the first arbitrator or before the second arbitrator, no question of Berubari or any portion thereof was raised. I think the executive could have told the opposite number in Pakistan that this question was never raised. Even if there had been a mistake in the award, whether it was a mistake due to law or to fact, an award is an award and must be carried out. But here that question also does not arise. There was no dispute about this matter and yet the Executive tell us that we wanted to bring about peace between India and Pakistan so that the raids from Pakistan may cease.

Today it is the question of Berubari. Tomorrow the raids may go on and Pakistan may raise the question of Calcutta itself. Then I suppose our Government will make an agreement that in order to bring about peace between Pakistan and India and to avoid the raids Calcutta may be given over to Pakistan. This is a strange way of arguing. Questions that were never raised are purposely, deliberately and viciously raised by our opponents and we succumb to their reasoning and allow it. How did we allow it?

The hon. Prime Minister said in Parliament that the Executive had the right to do so. He also said that there was no necessity in his mind to refer the matter to the judiciary. Afterwards when agitation was raised and the matter was referred to the High Court of Calcutta, it was found that the Executive had exceeded its authority and a reference was made to the Supreme Court. The Supreme Court consisting of seven or eight judges have given a unanimous report that the Executive have exceeded their power, that no question of Berubari should have arisen and that it should not have been taken into consideration because it was not a

matter under dispute. The judiciary in order to facilitate the Government said that their illegal act could be legalised only by a change in the Constitution. So, we have here the Bill to change the Constitution. It is not only the Schedule but it is the first article of the Constitution that is sought to be changed and we are in an unfortunate position that whenever we argue an international matter our hon. Prime Minister has a habit of giving an argument to rebut the arguments of the Opposition. In order to rebut those arguments he gives reasons which are always favourable to our opponents and enemies. When we talked about the aggression of China on India, he held us that in the occupied areas, not a blade of grass grew and not a man lived. I went to foreign countries and people who had nothing to do with China or India, or who were even favourable to India, told me, what are you fighting about, your Prime Minister has said that not a blade of grass grows and not a man lives there, you call yourself a peaceful nation and you are going to quarrel with China and keep up that quarrel on that issue. There was no reply that I could give. I was put in an awkward position. Not only are we put in a awkward position, but it gives advantage to our enemies and our opponents. In order to rebut our arguments, I hope the Prime Minister will be more careful. He is not here only to reply to the arguments of the opposition, he has also to see that he does not give an advantage to our enemies at our expense.

Yesterday, he said that this transfer of Berubari is not only good for India, but good for Bengal. So far as Bengal is concerned, I think it is adding insult to injury. I am only sorry to say that Bengal fully deserves it. It wants to ride two horses. The Bengal Members belonging to the Congress in this House create an agitation in Bengal and oppose the transfer of Berubari. But, when they come here, they sing another tune and wholeheartedly support the Govern-

ment. One cannot have any sympathy for a province like that whose representatives excite the people in Calcutta and come here and support the Government for what they have excited the Bengal people about. This is not the way then to complain that Bengal is isolated and nobody cares for Bengal. Bengal is a depressed province and it is always treated unfavourably.

There are two questions that arise from this. One is, can we repudiate this unfavourable agreement. This is an agreement by which we give our territory which was never in question and we also deprive our citizens of their fundamental rights which they enjoyed in India, especially people who have once left Pakistan and settled there. They did not like Pakistan Government then. I think they would like it much less now. Then, there was at least a nominal kind of democracy. That has also disappeared. They have expressed their opinion that they do not like this transfer. It is also a territory where there is an overwhelming majority of Hindus. Yet, we want to transfer this territory. Can we refuse to do it? Can we repudiate the Government?

I think this House is competent enough to repudiate the Government if it feels that it has done wrong. But, unfortunately, the majority does not want to do it and the opposition has no power to do it. Therefore, this question of repudiation does not arise from that point of view. If a Government has committed something that is wrong and anti-national, it can be repudiated. But, it can be repudiated only if you repudiate the Government that has done that. Here, we are in a position that we cannot repudiate this Government, because the majority supports the Government and the minority has no power to repudiate the Government.

The other question is, is it advisable, under the present circumstances, to repudiate our Government. This is an international agreement and an international agreement has certain

[Acharya Kripalani]

repercussions. If we repudiate this agreement, there will be a grievance on the part of Pakistan. I am also afraid that we will be misunderstood in the international world, and the neutrals would also say that our Government made an agreement and it was not prepared to carry it out. So far as Pakistan is concerned, we can say that it has repudiated many agreements made with India and if we repudiate this agreement, nothing is lost. But, even in international matters, we cannot take our political morality from our opponents whom we condemn. We have, therefore, to fulfil this agreement. I am sure this agreement is not going to bring about peace between India and Pakistan. There will always be something or the other in the foreseeable future which would bring about conflict between India and Pakistan.

Raja Mahendra Pratap (Mathura): On a point of order, Sir, he is a great leader of great experience. I want his opinion on this subject. We took the oath of allegiance to the Constitution.

Mr. Deputy-Speaker: My opinion on a point of order or his?

Raja Mahendra Pratap: If it is amended, will we be bound by this amended Constitution? We never took oath for this amended Constitution?

Mr. Deputy-Speaker: Order, order; the hon. Member may now try to conclude.

Acharya Kripalani: I have already said that it is not good for the executive because it has an overwhelming majority to change the Constitution frequently. I said that I also knew that technically they have the power to change it. I do not deny that. But, in changing it, they are violating the spirit of the Constitution. If they

frequently change it, the Constitution will have no value. In a sense, I agree with Raja Mahendra Pratap. But, unfortunately, the law as it stands, authorises the executive to change the Constitution through the Parliament. They have such a overwhelming majority that they can get the requisite number of Members to vote for them. That is our misfortune. Therefore, I said, our democracy is to denounce the executive, that is all.

I was saying that this is an international agreement and it can be repudiated only when we change the Government. One part of the House has no desire to change the Government and the other part of the House has no ability to change the Government. I also said that this is an international agreement by which our Government has bound us. We may not like it. But, we cannot help it. In the international world, to repudiate an agreement that the executive has made is a very dangerous thing. I have also said that it will give one more point to Pakistan to quarrel with us. Not that the quarrels will cease. I do not expect that. If it does, it would not matter. Even the Berubari people would not have minded it. But, I am sure that this question with Pakistan is not going to be settled. I am afraid that tomorrow, there may be some other portion of the country which they may go on claiming in spite of the agreement. Even then, I am clearly of opinion that we must respect this agreement. Only I say that our present Government which never benefits from experience, which commits the very same mistakes over and over again, will at least for once learn a lesson that they have not to do these things in a haste, that they have not to do things that require legal acumen by themselves. I do not think any legal person was associated with the conference that took this step of settling territories as between India and Pakistan.

Pakistan. I hope we will not be presented with accomplished facts and afterwards asked to change the Constitution to accommodate the executive.

13 hrs.

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): I am thankful to you for giving me the opportunity to intervene in this debate, as indeed I am most grateful to my Prime Minister for kindly permitting me to speak in my individual capacity as a Member representing a Bengal constituency, even though I am speaking from the Treasury Benches.

Acharya Kripalani: Can a Member of the Treasury Benches speak in his individual capacity?

Mr. Deputy-Speaker: Yes, I have permitted him. So, that is presumed.

Shri Vajpayee: What about collective responsibility?

Shri Braj Raj Singh: Has he resigned from Government?

Shri Anil K. Chanda: That will be known at the time of voting. The country has had to pay a price for our Independence. Unlike in other countries, it was not merely the lives of the fighters for freedom, but it was much more than that for we had to pay, by the cruel mutilation in the body of our motherland. The blow has been severest, I think, with regard to Punjab and Bengal, and perhaps, it has been more severe for Bengal, for the reason that whereas in the western sector, there has been much more of loss of life. . . .

Acharya Kripalani: What about Sind?

Shri Anil K. Chanda: Sind has come over to India completely and very well reinstated!

Though in the Punjab sector, there has been tremendous loss of life and

also considerable loss of property, there has been some compensation, possibly, in the fact that quite a large number of Muslims from our western areas had migrated away to Pakistan, leaving behind some of their property and all their lands. Therefore, it was comparatively easier for these people to be rehabilitated in those lands.

On the other hand, so far as Bengal is concerned, there has been hardly any migration from West Bengal into Pakistan. As against the 60 lakhs of people, that is, Hindus, who had to leave Pakistan and come over to India to seek shelter, I do not think if even 600 Muslims from West Bengal had gone away to Pakistan. And even those who in the first flush of enthusiasm had gone became wiser quite soon, and came back quicker than they had gone. All this has created a very tremendous problem for Bengal. The hurt on Bengal has been severe, and the wound is yet raw.

With regard to the division of undivided Bengal into Pakistan and India, it has been in most sectors, very artificially done, in the sense that there has been no natural feature like a river which would divide this country from that, with the result that, very often, in East Bengal and on our side, one will come across cases where in a household the cowshed has gone to Pakistan, and the cooking-shed is in India.

A position like that creates innumerable difficulties. Whereas a theft in any other part would be, if I may say so, an honest and simple theft, in that area, it becomes an international problem. Therefore, very often, it creates a tremendous difficulty both for our administration, and I dare say, for the Pakistan administration also.

It was therefore a very wise move that some time ago, the then Pakistan Prime Minister Sir Feroz Khan Noon and our revered Prime Minister decided to sit down at a round table and thrash out all these problems, and grapple with the problems in all

[Shri Anil K. Chanda]

their details. On the 10th September, 1958, certain agreements were made between our Prime Minister and the Pakistan Prime Minister, and later on, on 23rd October, 1959 and again on 11th January 1960, these border difficulties were sought to be solved by coming to certain mutually accepted decisions.

One of the items of this agreement is with reference to Berubari Union No. 12. The Bills which our Prime Minister has presented before Parliament are really emanating from the agreements which had been drawn up between our two Governments, beginning from 10th September, 1958. I shall restrict myself only to Berubari Union No. 12. The Prime Minister, yesterday, in his speech, had referred to a peculiar difficulties in this connection. With regard to this Berubari question, it is question which has got four aspects. There is the constitutional aspect; Secondly there is the legal aspect; I am not really competent enough to refer to the legal and the constitutional aspects; then, there is the political aspect, and finally there is the human aspect.

I would restrict myself to the political and the human aspects of the question. Our Prime Minister, yesterday, in the course of his speech, had referred to some peculiar difficulties in that area, that is, with regard to what is known as enclaves. A number of our small territories are scattered in certain parts of East Bengal just as some of their territories, though their enclaves are smaller in number, are scattered in our areas. The total area of our enclaves would be, roughly speaking, about 19,000 acres, and the area of the Pakistani enclaves is about 12,000 acres, that is, we have an excess of about 7,000 acres, so far as the enclaves are concerned.

The administration of these enclaves has been a terrible headache for our administration. Some of these

enclaves are merely two or three home-steads. We cannot reach them, because we have to pass through Pakistan territory. Even in the worst days of rationing, it was not possible for us to reach to them kerosene or sugar or cloth. In fact, these Indian citizens, practically all of whom are Hindus, are denied the benefits of our administration. Because of the peculiar geography of these enclaves, we have really not been able to reach our administration to these areas. We have not been able to extend to them even ordinary protection against lawlessness or against law-breakers. If there is a theft or dacoity, it takes several weeks before information could be reached to our administrative headquarters, and possibly, it will be several months later that our police can appear on the scene, because previous permission of Pakistan is necessary, before they would permit our police force to traverse through their areas.

I remember, when I was in the External Affairs Ministry, I used to receive very often very piteous appeals from our people who were our citizens unfortunately residing in those enclaves. From time to time, approaches had been made to Pakistan that something should be done about the redress of these difficulties by a process of exchange, but we were in a difficult position, so far as negotiation was concerned, because, firstly, our area was larger—as I have already said, we had 7,000 acres more—and secondly, the Pakistani enclaves were in areas predominantly populated by Muslims. So by means whether legal or otherwise, having a friendly hinterland, the Muslim citizens of the Pakistan enclaves in our territory could reach to their administration or go over to their mainland. But so far as our enclaves are concerned, the people are all Hindus surrounded by a sea of unfriendly Muslims of Pakistan. It was impossible for them to get into touch with our administration. Pakistan, as I said, is in a better position

so far as the enclaves are concerned. They always insisted that the exchange should be on a basis of the enclaves as they are, that is, Pakistani enclaves to be transferred to India *en bloc* and Indian enclaves to be transferred to Pakistan *en bloc*. We naturally wanted some sort of compensation either in money or in land for the excess of 7,000 acres which would pass on to them by this process of exchange. They had not agreed to it. Recently, under this agreement of 10th September 1958, we have finally accepted the position that we would exchange our enclaves with theirs *en bloc*. We need not shed any tears because we give away 7,000 acres of our land, because, as I have already said, it was most unfortunate that these enclaves were areas where we could not make our administration effective. By this process of exchange, even though we have given away 7,000 acres to Pakistan, we have at least saved these people from the uncertainty of living without any administration.

Then I come to Berubari, an area which is in our possession and which, in our opinion, is within our territory. There is also Hili which we think is ours. But in both cases, Pakistan had been stoutly claiming that these areas were hers. By the agreement of 10th September 1958, Pakistan has finally given up completely her claims to Hili and we have decided to divide Berubari on a 50:50 basis. It is not a judicial pronouncement where every argument and every fact has been weighed in the scales. It was, really speaking, an executive *bandobast* arrived at by two Prime Ministers....

Acharya Kripalani: Bungling.

Shri Anil K. Chanda:..... so that the difficulties on the border could be got rid of. We would know exactly what our borders are just as they would be sure of their borders. Also these continuous, little, petty difficulties about theft of cattle, occasionally about kidnapping of people, dacoities, difficulties regarding harvesting etc. would be got over. It

was, as the Prime Minister had said, part of a package deal, and we must accept it as such.

As a result of this agreement, we lose 4,375 square miles of our territory or, roughly speaking, on the basis of 640 acres to a square mile, 2,800 acres. The population involved is, I believe, about 6,000. The 1951 census report refers to the population of the whole of Berubari as nearly 6,000. Only a few of them are Muslims. Practically all of them were Hindus. By a recent estimate of the West Bengal Government, it seems the population of Berubari Union No. 12 is about 12,000. So *pro rata*, I think the number of people involved would be about 6,000, most of whom are refugees who had sought shelter in that corner after having left Pakistan. Their lot is really most unfortunate and I am sure there is nobody in this House as in the country who would not extend his fullest sympathy to them. I am sure the Prime Minister himself feels as bad over this as others. After all, nobody would accuse him of lacking in generosity and justice. The agreement with regard to Berubari has been most unfortunate, but certainly it is no crime in the manner it has been done, and I do not know why the leaders of the Opposition yesterday in their speeches tried to make it out as if the Prime Minister had committed an act of felony. I was really surprised that the scholarly spokesman of the Communist Party of India tried to smite our Prime Minister hip and thigh by the wagging of his eloquent though vituperative tongue. Certainly, it does not lie in the mouth of the Community spokesmen to run down our Prime Minister and the agreement he has made with regard to Berubari when by their silence at least, they have acquiesced in the treacherous occupation of thousands of square miles of our territory by China, they have displayed thereby their intentions.

In this connection, I remember my own personal experience a few years

[Shri Anil K. Chanda]

ago when I had the honour of leading a delegation to China. Myself and members of my Party were received with the utmost kindness, honour and friendliness by all beginning from Chairman Mao down to the poorest villager in the villages that we visited. Everybody spoke about the imperishable bonds of friendship between China and India. The expression very often used was 'We shall do away with the Himalayas in our friendship'. I did not realise then what was going to be the method of doing away with the Himalayas.

Shri Goray (Poona): That is the trouble with you. You are so easily deceived.

Shri Anil K. Chanda: My hon. friend, Shri H. N. Mukerjee was pointing his accusing finger at our Prime Minister and asking: are our citizens mere chattels to be tossed over from one State to another at the mere whim of the Prime Minister? As a student of history, he referred to 1815 when Maternich, Czar Alexander, Castlereagh and others were making and remaking the map of Europe. My esteemed friend is a student of history and a teacher of history. He need not have tried to make himself an archaeologist. He could have looked to a period nearer to his own, when he would have seen that so far as the border question is concerned, the world has not much changed from 1815 to today. Would he look into his mind and consider whether their man of peace, the great Stalin, when remaking the map of Europe, Eastern Europe, consulted the people of Estonia, and the people of Latvia, the people of Luthuania, the people of Finland and Poland? Were they consulted by Marshal Stalin, whom he once acclaimed as a man of peace.

Sir, we should play cricket. Shri Mukerjee, I know, is keenly interested in sports, but I fear he only likes chess.

Shri Tyagi: Boxing.

Shri Anil K. Chanda: Now I come to the question of the border people of Berubari Union who by this unfortunate agreement have to come out of Pakistan, because it is quit clear from our experience of Pakistan that it is not honourable for any Hindu to live there. So we must be prepared to make some arrangement for rehabilitation of the 6,000 people. It is not so much the ceding of 2800 acres of our territory to Pakistan that troubles us as the fate of these 6,000 of our unfortunate Hindu citizens in the Berubari area who would be uprooted for a second time. We must do everything possible to give them proper facilities for speedy rehabilitation in this country.

In this connection, I will make some humble suggestions to my Prime Minister and I would be grateful to him if he would kindly give them all possible attention and care. These 6,000 people, roughly speaking, would make a 1000 families. I do not think even in our over-populated West Bengal it is really impossible for us to rehabilitate these 1000 families. But speaking for myself, I would much rather that these people would go and create a new Berubari either in Dandakaranya or in the Andamans where conditions of life would be much better than in those parts from which they would be coming.

Shri Tyagi: Give it a better name.

Shri Anil K. Chanda: We will call it the *Saheed Dwip*. Speaking as a Bengali in this House, I think that it is time that we Bengalis really learn to come out of the confines of our truncated province and colonise ourselves in other areas, where we are welcome. We have had some sad experiences but I am sure in this great country, there are areas where our Bengali colonisers would be welcomed.

There are 1000 families and if these people are not on their own volition

willing to go to Andamans or Dandakaranya, we must give top priority to their settlement in India itself in the neighbouring areas. In the Jalpaiguri district to which Berubari belongs, I understand there are over 200 tea gardens and each tea garden, big or small, has considerable lands for future expansion. I would be the last person to minimise the importance of tea in our national economy; tea is our greatest dollar earner and we must do everything possible to develop tea cultivation. But on an average, a garden would not be called upon to take over more than five families. There are about a thousand families and we have got 200 tea gardens. The soul of Bengal has been so much stirred by the said fate of these 6000 people and if we approach these tea gardenowners properly—be they English or Indian firms—I am sure they would be quite willing to take the responsibility of rehabilitation of five families. At the most, they have to surrender 25 acres of not yet cultivated but cultivable land. That would not be taxing them too much. If it comes to that and if it is necessary, by legislative measures we can force them to make accommodation for these people.

Secondly, we know that the West Bengal Government had spent considerable amounts in the development of these areas in starting schools and in making roads, bridges and so on. In fairness and equity, I would request our Government to reimburse the Bengal Government because it is clear that they were not quite a party to this agreement drawn up between the two Prime Ministers. It may be two, three or four lakhs; it would not be a great strain on us. I am sure that our seemingly hard-hearted Finance Minister would not mind paying this sum to the West Bengal Government.

"There is no power in the tongue of man to alter me, I stay here, by, my bond."

Thirdly, it is very important—I would suggest that our Minister of Rehabilitation in West Bengal Shri P. C. Sen—pays a visit immediately to that area with a number of well-trained and dependable social workers and

Mr. Deputy-Speaker: It I could allow simultaneous speeches, I would have done that but that would be of no use. Now, Dr. Krishnaswami.

[Dr. Krishnaswami]

implement the agreement reached between our Government and Pakistan have not roused powerful emotions in West Bengal. While I agree that it is necessary to have these questions viewed in proper perspective taking into account all the overall considerations, we cannot afford to ignore the human element in this story.

The legal issues have come up prominently to the fore and I think it is advisable for Parliament to consider them at some length. There are two considerations that have been advanced, namely, that the agreement is one and indivisible and cannot be implemented except by an amendment of the Constitution and therefore it is incompetent for Parliament to make a law relating to article (3) for implementing this agreement. It must be clear that where certain territories have to be acquired no amendment is necessary. Indeed in all the constitutions of the world this is recognised. But for that part of the agreement which involves cession of our territory the Supreme Court has suggested two alternatives. No constitution, as the Supreme Court rightly pointed out, ever makes a provision for cession of our territory and the Indian Constitution has rightly followed that example. The first and the simplest method of course is to amend Schedule I of the Constitution, defining the territories of various States of India by excluding those which we have ceded. That is what the constitutional amendment seeks to do.

But article 1 of the Constitution contemplates acquisition of territory and provides that the territory shall comprise any territory so acquired. I do not think any constitutional amendment under article 368 is necessary to provide for the acquisition of territory and any territory so acquired may be added to any State without invoking article 368. Of course another alternative is to amend article 3 of the Constitution to give to Parliament power to enact legislation for cession of territory but this would be highly objectionable on grounds of principle. As

I have pointed out, no constitution ever can allow any cession of territory to be definitely provided in its articles. It is true that both acquisition and cession of areas can be effected by a single amendment of the Constitution. That was the procedure that was open to us that would leave the law incomplete. For, so far as the acquired territories are concerned, supplemental provisions would be necessary and this could be done by an ordinary enactment under articles 3 and 4.

I think I have disposed of many of these legal issues. But I do wish to point out that although the legal issues bulk large and have acquired a mass appeal it is not the legal issues alone that are important. This question of cession has roused profound emotions and it is certainly right on the part of those of us who have come from States other than Bengal to consider what these emotions are, to find out how exactly we can attempt to allay the fears that have been raised in that troubled state. Let us realise, that profound emotions are provoked whenever a country parts with an area, which has remained part and parcel of the territory of India, to a foreign State. In the present instance, Mr. Deputy-Speaker, these emotions have taken on a much sharper edge because this agreement would result in a diminution, albeit small, of the area of a State which has already paid a very high price so that we might enjoy independence. Let us realise further that there are men and women who once uprooted from East Pakistan sought refuge in this area of Berubari and many of them will have again to seek refuge in India. This certainly is a human issue which in the case of Bengal should be the special responsibility not only of Government but also of Parliament.

I want to point out quite frankly that the Ministry of Rehabilitation, which has been concerned with these problems, has not been particularly successful or competent enough to

handle these problems. I only wish that the next time discussion on these matters comes during the budget time many of us who have hitherto not participated in the debate relating to rehabilitation of refugees would have a chance to participate and give our suggestions as to what should be done with regard to the problem of refugees.

I believe, Mr. Deputy-Speaker, that although this display of emotion has been a bit irritating to certain circles this had one salutary effect. It has awakened interest in the problems of West Bengal on the part of all of us who have come from other parts of India. I do think it ought to be our responsibility to consider the problems of Calcutta, to consider the problems of West Bengal from a new point of view, to put some pressure on the Planning Commission to consider the peculiar position of that State afresh and to see that special advantages are given because of the great sacrifices that have been made by West Bengal.

It is a human issue, and certainly it is an issue which cannot be solved by merely saying that we are going to take account only of the problem of a few refugees from Berubari.

Now, Sir, it is true that we have to consider these questions from a different point of view and also make allotments, but more important than also considering what we ought to do with regard to West Bengal is to find out what exactly are the merits of this agreement. Is it true, as some of my hon. friends suggest, that there are no merits whatsoever in this agreement, and that the only reason for supporting it is that it is an international agreement and that it is not wise on the part of Parliament to repudiate any agreement which has been entered into on an international basis? That, of course, is a very strong consideration, but let us realise that these agreements were entered into by two Governments with the sole object of putting an end to

the never ending clashes and harassments on our borders. Those areas which we have acquired are mostly enclaves and those which we have given to Pakistan were our enclaves which gave rise to constant friction.

My hon. friends have pointed out that from an arithmetical point of view we have not gained. We may not have gained from an arithmetical point of view; but arithmetic is not everything where the avoidance of friction is considered to be of paramount consideration. Sir, the avoidance of friction—almost continuous—is a positive gain which we have achieved by this agreement. This, indeed, was the main consideration for the transfer of a part of Berubari. Viewed from this perspective, the transfer of a part of Berubari was probably unavoidable, and although I understand that there are very many difficulties in these matters, I venture to think that we ought to adopt a fresh approach to the problem of refugees and also see that the various other problems which affect that State of West Bengal are considered afresh not only by Government but also by Parliament.

In any event, Mr. Deputy-Speaker, this is an international agreement, this is an agreement which partakes of the character of an international treaty, and I should wish Parliament to really support it notwithstanding some of the doubts that we might have. At the most we might express a hope that better relations might result, but even if they do not result we have to take it that this is an agreement which has been entered into between our Government and its neighbour.

सरदार इकबाल सिंह (फीरोज़पुर) :

जनाब डिप्टी स्पीकर साहब, जो यह एग्रीमेंट हुआ है और जिस के नतीजे के तौर पर पंजाब का कुछ इलाका पाकिस्तान में जाना है और पाकिस्तान का कुछ इलाका भारत

[सरदार इकवाल सिंह]

में आना है, उसके सम्बन्ध में मैं कुछ कहना चाहता हूँ। पंजाब के लोग और वहाँ की सरकार इस एग्रीमेंट पर खुश है और इसको बलकम करती है।

आप जानते ही हैं कि पिछले दस बारह सालों में पंजाब के बार्डर पर, चाहे वह फीरोजपुर का हो, चाहे भृतसर का हो, चाहे गुरदासपुर का हो कई बार गोलियाँ चलती रही हैं, कई बार हमले होते रहे हैं, मवेशी उठा कर पाकिस्तान में ले जाते रहे हैं जिन को वापिस नहीं किया गया है। इन एग्रीमेंट्स का एक नतीजा यह निकला है कि कम से कम वहाँ कुछ अमन हुआ है, कुछ शान्ति हुई है। आप जानते ही हैं कि बोर्डर के दोनों तरफ बहादुर किसान, भजबूत आदमी रहते हैं। जहाँ पर ऐसा हो वहाँ पर यही बेहतर हो सकता है कि इस किस्म का कोई एग्रीमेंट कर लिया जाए, कोई समझौता कर लिया जाए ताकि इस तरह की बातें न होने पायें। जब से यह समझौता हुआ है उसके बाद से मैं यह कह सकता हूँ कि वहाँ बहुत कम हमले हुए हैं और अगर कोई वारदातें हुई भी हैं तो वे जाती दुश्मनी की बिना पर हुई हैं या जो स्मगलरज हैं, उनके खिलाफ कार्रवाई जो की जाती है, वह की गई है। आए दिन जो वारदातें हुआ करती थीं, वे अब नहीं हो रहीं हैं और अब बोर्डर पर काफी हद तक शान्ति है।

जहाँ तक डिस्प्यूट्स का सम्बन्ध है, भृतसर में दो जगहों पर वह था। वह कोई बड़ा डिस्प्यूट नहीं था। एक जगह हिन्दुस्तान ने २३६ एकड़ के करीब लेना मान लिया है और दूसरी जगह पर ५० एकड़ के करीब देना मान लिया है।

दूसरा डिस्प्यूट फीरोजपुर के कुछ इलाके के बारे में था। वहाँ पर एक हुसैनीवाला का डिस्प्यूट था और उसके बारे में हमें पहले ही इल्म था कि जो हुसैनीवाला की जमीन

है, वह फीरोजपुर डिस्ट्रिक्ट का हिस्सा है और रेंडक्लिफ एवार्ड के मुताबिक भी हिन्दुस्तान में ही है। हुसैनीवाला हैडवक्स पर आज से कोई २५-३० बरस पहले सरदार भगत सिंह जी की अर्बों लाई गई थी और वहाँ पर उसका अन्तिम संस्कार किया गया था। वह जगह जहाँ यह संस्कार किया गया था हिन्दुस्तान में है। उस जगह पर हर साल लोग अपने बहादुर शहीद को श्रद्धांजलि अर्पित करने के लिए जमा हुआ करते थे लेकिन इन पिछले तेरह बरसों में वे ऐसा नहीं कर सके थे। इमोशनली पंजाब के लोग और आम तौर पर हिन्दुस्तान के लोग चाहते थे कि वह एरिया हिन्दुस्तान में आ जाए। उस एरिया के लोग हमेशा ही सरदार भगत सिंह को अपनी श्रद्धांजलि अर्पित करने के लिए बसाखी के रोज जमा हुआ करते थे। उनकी यादगार में वहाँ के लोग एक मेमोरियल खड़ा करना चाहते हैं और आप इस काम में पंजाब सरकार और गवर्नमेंट आफ इंडिया शायद सहायता दे। इस वास्ते मैं समझता हूँ कि साइकैलोजिकली और इमोशनली भी उस एरिया को हिन्दुस्तान को लेना चाहिये था। आज हुसैनीवाला के हैडवक्स पर जो फँसला हुआ है उसके मुताबिक १०.३५ मील का इलाका हिन्दुस्तान में आ जाएगा और वह वही इलाका है जोकि फीरोजपुर का हिस्सा था। वहाँ से पाकिस्तान के आदमी पीछे हट जायेंगे जोकि बहुत खुशी की बात है और मैं इसका स्वागत करता हूँ।

फीरोजपुर, लाहौर, मोंटगुमरी बोर्डर पर भी कुछ डिस्प्यूट था और वह सतलुज दरिया के कोर्स को से कर खड़ा हुआ था। सतलुज के इस तरफ हिन्दुस्तान की मिलिटरी और पी०ए०पी० थी और लोग इधर बैठे हुए थे, और सतलुज के उस पर पाकिस्तान का कब्जा था। लेकिन अब जो बाउंडरी बनेगी वह लाहौर, फीरोजपुर, मोंटगुमरी डिस्ट्रिक्ट्स की बाउंडरीज को आधार मान कर

बनेगी और इस बाउंडरी के बनने के बाद कुछ गांव उधर जायेंगे और कुछ गांव इधर आयेंगे और इन गांवों के आने जाने से सारे पंजाब में तकरीबन १५०० फैमिलीज डिस्ट्रिक्ट होंगी। फिरोज़पुर डिस्ट्रिक्ट में कोई ७३५ फैमिली डिस्ट्रिक्ट होंगी। मैं यह मानता हूं कि २४,००० एकड़ के करीब हिन्दुस्तान की जमीन पाकिस्तान को जानी है और ५१,००० एकड़ के करीब जगह पाकिस्तान से हिन्दुस्तान को लेनी है। लेकिन जो हिस्सा हम को लेना है वह बंजर है और गवर्नमेंट आफ इंडिया का फर्ज है कि वहां के लोगों को सेटल करे। हम ने जो फैसले किये हैं उन के मुताबिक आप उन को जमीन दें। वे उस को खुशी से स्वीकार करेंगे और न सिर्फ खुशी से स्वीकार करेंगे बल्कि उस का समर्थन भी करेंगे। मैं उन के गांवों में गया हूं और वहां जा कर मैंने यही समझा है। अभी मैं अपने आपोजीशन वाले भाइयों की बातें सुन रहा था। वाजपेयी साहब ने कहा कि वहां के आदमियों की राय ली जानी चाहिये। मैं उन से इतना ही कहना चाहता हूं कि उन आदमियों की राय न सिर्फ इस के हक में है कि जो फैसला हिन्दुस्तान और पाकिस्तान के बीच हुआ है वह एक बेहतरीन फैसला है, बल्कि वह लोग उस फैसले पर चलते हुए हमारे प्रधान मंत्री और हिन्दुस्तान की सरकार के कहने पर अपने अपने घरों से दुबारा उठने के लिये तैयार हैं और खुशी से वे इस बात को कबूल करते हैं। मुझ से तो वे यह कहने लगे कि वे इस मौके को सेलेबरेट करेंगे। मैं बहुत खुशी से कहना चाहता हूं कि आज भी हिन्दुस्तान में ऐसे लोग हैं जो कि हमारे प्रधान मंत्री के फैसलों पर और गवर्नमेंट आफ इंडिया के फैसलों पर अपना सब कुछ कुर्बान कर सकते हैं, और हमारे आपोजीशन वाले भाई चाहे कुछ भी कहें वहां के लोग इस फैसले को खुशी से कबूल करते हैं।

इस सिलसिले में वहां के लोगों की बहुत सी प्रब्लेम्स हैं। बहुत गांव ऐसे हैं जो दरिया के 1667(Ai) LS—5.

इधर आने वाले हैं और बहुत से गांव जो दरिया के इस तरफ थे वे पाकिस्तान को जाने वाले हैं। हिन्दुस्तान की जो जमीन थी वह बड़ी फर्टाइल थी। इसलिये जिन लोगों की जमीन उधर जायेंगी उन के बड़े बड़े मसले हैं। मेरा गवर्नमेंट आफ इंडिया से यही कहना है कि उन प्रब्लेम्स के लिये गवर्नमेंट आफ इंडिया को कुछ न कुछ एनकटमेंट करना चाहिये। पिछले दिन तक एक जगह ऐसी थी जिस पर हिन्दुस्तान का कब्जा था लेकिन 'डक्लिफ' एवाडट्र के मुताबिक वह पाकिस्तान के अन्दर थी। वहां एक कत्ल हुआ, और कुछ लीगल प्वाइंट्स 'दा' हुए। लाइअर्स ने कहा कि इस कत्ल के मामले को हिन्दुस्तान की सरकार, हिन्दुस्तान की पुलिस और मैजिस्ट्रेसी ट्राई नहीं कर सकती क्योंकि यह पाकिस्तान का एक हिस्सा है। वह गांव आज भी पाकिस्तान को जायेंगा क्योंकि रैडक्लिफ एवाड के मुताबिक वह पाकिस्तान था का। इस तरह के काम्प्लिकेशन्स पैदा होते हैं। इसलिये जो भी फैसला हुआ है वह ठीक हुआ, लेकिन गवर्नमेंट आफ इंडिया उन के रिलीफ के लिये कुछ न कुछ करे। मैं अक्सर यहां पर क्वेश्चन करता रहा हूं कि दरिया अपनी धार बदल लेती है और कुछ हिस्सा पाकिस्तान में चला जाता है और कुछ यहां आ जाता है। हर साल जो लोग इस तरह से वहां से उठते हैं उन की प्रब्लेम्स पैदा होती रहती हैं, इसलिये उन के रिलीफ के लिये यहां पर कुछ न कुछ एनकटमेंट होना चाहिये।

अब मैं मुलेमानी के बारे में कहना चाहता हूं। मुलेमानी हेडक्वार्टर्स के बारे में जो फैसला किया गया है उस के मुताबिक वह हिन्दुस्तान का हिस्सा था, लीगली भी हिन्दुस्तान का हिस्सा था और वैसे भी हिन्दुस्तान का हिस्सा था फिरोज़पुर डिस्ट्रिक्ट में। लेकिन हम ने एक ऐग्रीमेंट में उसे पाकिस्तान को दे दिया। इस पर पाकिस्तान का क्लेम था लेकिन कोई खास मजबूत क्लेम नहीं था। इसलिये दिया कि हम हुसैनीवाला का फायदा उठाना

[सरदार इकबाल सिंह]

चाहते थे। हम चाहते थे कि हम हुसैनीवाला में उतनी जमीन लें जितनी जमीन हम उन को दे रहे थे। हुसैनीवाला में क्यों लेना चाहते थे, मैं यह पहले बतला चुका हूँ। वहाँ पर सरदार भगत सिंह की समाधि है, और हम चाहते थे कि उस के बारे में फैसला हो जाय। वहाँ २१०० के करीब पापुलेशन है। वहाँ से उठ कर दूसरे गांव में जा कर उन को बैठना है। लेकिन उन के सामने मसले बहुत हैं। उन की वहाँ पर जमीन बहुत है। वह कहते हैं कि एक दफा जमीन दी जाय, लेकिन चूँकि वे हिन्दुस्तानी थे, पाकिस्तानी नहीं थे, इसलिये रिहैबिलिटेशन ऐक्ट उन की मदद के लिये नहीं आयेगा। इसलिये उन लोगों के बारे में गवर्नमेंट आफ इंडिया को सोचना चाहिये। वे आदमी वहाँ से उठना खुशी से मंजूर करते हैं। मैं उस इलाके की तरफ से, इस इलाके के आदमियों की तरफ से कहता हूँ कि वे लोग इस ऐग्रिमेंट को वेलकम करते हैं। जो भाई इस ऐग्रिमेंट को क्रिटिसाइज करते हैं और अपना पोलिटिकल आचार बनाना चाहते हैं, मैं उन से निवेदन करना चाहता हूँ कि फिरोजपुर में अब कोई आदमी ऐसा नहीं है जो यह विश्वास न करता हो और उसे यह समझाया जाय कि हिन्दुस्तान का और पाकिस्तान का, आप की कंट्री का और आप का हित इसी में है कि इस फैसले को मान लिया जाय। मैं उन के गांव में गया, वे यही कहना चाहते हैं कि हम खुशी से प्रधान मंत्री के फैसले के मुताबिक अपनी जगह से उठेंगे और इस के लिये जो भी मुसीबत होगी उसे कबूल करेंगे, जो तकलीफें होंगी, उन को कबूल करेंगे ताकि हिन्दुस्तान और पाकिस्तान के रिलेशन्स बेहतर हों।

इन अल्फाज के साथ मैं कहना चाहता हूँ कि सब लोग इस ऐग्रिमेंट की पूरी तरह हिमायत करते हैं और मैं उन की तरफ से कहना चाहता हूँ कि वहाँ के लोग भी पूरी तौर पर इस से मुतफिक हैं, और यह उन से

कहना चाहता हूँ जोकि यह कहते थे कि लोगों की राय ले ली जाय।

Shrimati Manjula Devi (Goalpara): Mr. Deputy-Speaker, Sir, I have listened with great care and respect to the learned speeches from the Benches opposite. It is very strange that there is so much criticism. When two countries have talks for friendly settlements certain agreements have to be reached and these agreements, before being implemented, are placed before Parliament. Some hon. Members even went to the length of stating that these agreements are unconstitutional and that the Prime Minister of India has overstepped his powers. On the other hand, I offer my gratitude to the Prime Minister for putting an end to this long strife, the border strife on the Indian soil between these two countries. These fights between these two countries have been most irritating and unpleasant to an unbearable degree. I rise to congratulate the Prime Minister of India for putting an end to all this trouble.

Coming from a border State—the State of Assam—I express a feeling of relief on the lessening of tension between India and Pakistan. I appreciate the benefit of the agreement between these two countries. An agreement is a compromise which involves give and take policies. If we had given away a part of our Indian territory without acquiring some Pakistan's territory, there are certain grounds for complaint. But it was not so. As a nation, we have to take into consideration an overall picture, and not an isolated one, in formulating national policies. National policies are of national interest and these national interests must over-ride those of individual areas or individual people. This transfer of areas to other countries is a very painful process, but the pain, suffering and the loss of innocent lives due to these strifes is too big a problem. It is a national problem and individual questions of one particular area or areas of our Indian territory are to be ignored.

We have to make certain sacrifices to secure national peace and tranquillity. As citizens of India we have to prepare ourselves to meet these agreements, to gain national profits of peace, prestige and even friendship with our neighbouring countries. I again congratulate the Prime Minister for ridding the country of conflicts with our immediate neighbour. The eyes of the world are on us. This august body, the supreme body of the country, the Parliament must maintain the international prestige and honour of India by supporting the Prime Minister and endorsing the agreement between India and Pakistan.

Last but not the least important aspect of this agreement is the future of the refugees of Berubari. If Pakistan fails to give them the rights of citizenship, India should shoulder the full responsibility for their successful rehabilitation. India must be prepared to give them their full rights of citizenship and make up the losses and other difficulties they may have to face for this transfer. The Prime Minister, I am sure, is fully aware of this responsibility and will grant all possible help to the unfortunate people.

Shri Mahanty (Dhenkanal): Mr. Deputy-Speaker, Sir, we are opposed to some aspects of the Nehru-Noon agreement. Therefore, it will be our duty to oppose some of the provisions of these two Bills which are now under discussion. This transfer of territories has got three aspects, according to me. One is constitutional, second is political and third is human. The Prime Minister has made much of the human aspect, because he feels he can rehabilitate those 6,000 persons who will again be refugees for the second time in their lives. Also, advantage has been taken of this aspect by most of the speeches which have come from the Congress benches. With all humility, let me point out that no amount of money, no amount of assistance, no amount of rehabilitation is going to assuage the pangs, which can only be felt by

those who are going to be refugees for the second time in their lives. Therefore, let us not talk of the human aspect only, except to underline the fact that never perhaps in our history such a tragedy will occur again.

Coming to the constitutional aspect, I venture to submit that there is nothing un-constitutional about the Bills which are before us. If it is said that the Supreme Court have held the transfer of territory as un-constitutional, I venture to submit that the Supreme Court in their advisory opinion nowhere have mentioned that a sovereign State has not the power to cede territory. The Supreme Court have pointed out that the attributes of a sovereign State are two-fold, to cede territories and to acquire territories. In 1951, when a part of Asam territory was ceded to Bhutan, its constitutional comprehension to do so was never questioned in any court of law. When Chandernagore was acquired by India, its constitutional propriety was never questioned in any court of law. Therefore, I venture to submit it is constitutionally and technically a correct arrangement. But that is the least part of it.

It is politically improper. Politically we feel that the Government of India have been ill-advised to have entered into this agreement. Having said so, I also wish to mention that there is nothing sacrosanct about an agreement which the Prime Minister has entered into. The Prime Minister, or for the matter of that, the leader of the Government of India, has unfettered right to enter into any international agreement. But let it be remembered that that agreement is not unqualified and is not unrelated. Though the leader of the Indian Government, the Prime Minister, has his unfettered right to enter into any kind of agreement, that right is always conditioned by the right of Parliament either to accept it or to reject it. So, when it has been said that the Prime Minister has entered into an agreement, it partakes of a

[Shri Mahanty]

sacrosanct character and it should not be questioned, analysed or criticised, I thought in our enthusiasm we were transgressing some of the basic fundamental rights of this Parliament.

Let me tell you in 1918 President Wilson had also entered into an international treaty for the League of Nations. But the American Senate did not accept that treaty and that is how America could not join the League of Nations after the first World War. Therefore, while we have every consideration for the agreement which our Prime Minister has entered into with Pakistan, let it not be said that the Parliament has no right to criticise it or to reject it. It is inherent in the very nature of parliamentary democracy which we are experimenting in this country.

Having said so, it is my deep regret to point out that the Parliament was never afforded an opportunity to consider the *pros* and *cons* of the Nehru-Noon agreement. We were presented with a *fait accompli* and that too in the shape of these two Bills. You will agree with me that this is not a satisfactory way of considering an agreement of such far-reaching consequence.

It has been said that one has to consider the context against which the Nehru-Noon agreement was reached. It was also said that one had to consider the context against which the Indus Water Treaty was entered into. The Prime Minister the other day candidly and frankly said that the Rs. 83 crores India has paid in connection with the Indus Water Treaty was the price for peace and the price of friendship. In the speech he made in the beginning while moving these Bills, the underlying ton which could be detected there, was India was paying a price for friendship.

Let me tell him that no friendship is ever had through appeasement. Only the other day, after the Indus Water Treaty had been entered into, after the Nehru-Noon agreement was being implemented, a question was

asked whether it was a fact that the Government of East Pakistan unilaterally decided to prevent the use of river known as Feni which divides Tripura and East Pakistan, and the Prime Minister answered 'Yes. After India had entered into this costly Indus Water Treaty with Pakistan, after India had agreed to cede its territory in spite of national resentment, this is the treatment that Pakistan metes out to India, viz., the use of river Feni is closed to India.

There was another question too and the Prime Minister replied that the territory known as Jalaiya area in Amarpur and Subroom sub-division of Tripura has been forcibly occupied by East Pakistan. One can go on multiplying such instances, where one could really question the *bona fide* of Pakistani goodwill. Therefore, if it is said that India has paid this costly price for Indo-Pakistani friendship, I venture to submit that though the price is unconscionable, the commodity purchased is inconsequential and at least illusory. We are not going to achieve that for which we have paid this price.

I have been all along consistently advocating the view that situated as we are, we have to seek an over-all settlement with Pakistan, so that there is a certain amount of disengagement of our forces with Pakistan and we are left free to that extent. So, I should not have hesitated to lend my humble support to this Bill or to this arrangement, had I no doubt in my mind that we were going to achieve the purposes which we had kept in our mind. The House knows that the entire Kashmir dispute arose out of Pakistan's fear over the Western rivers. It was said both in the Security Council and in the protracted debate that followed, that Pakistan's whole anxiety about getting unfettered supply of water from the Western rivers motivated her to take the posture which she took in Kashmir in the year 1948. But today we have settled the river disputes so much so that Pakistan gets all the six rivers for

ten years. All the Western rivers she gets and all the Eastern rivers she gets, at least for the transitional period; over and above that, she gets Rs. 83 crores. Only the next day after the Treaty was satisfied, the President of Pakistan said somewhere that it was not worth his while to visit India; even though his itinerary included countries like Indonesia, Ceylon and Japan etc. he did not think it proper to visit this country.

14 hrs

Our Prime Minister said that after this Indus water treaty the Mangala dam problem would be solved. But it is anybody's guess what is going to happen. Mangala dam problem will continue to be there. Therefore, without multiplying these instances of Pakistan's ill-will, I only venture to submit that we are paying an unconscionable price and the commodity that we are seeking to acquire is inconsequential, is illusory, is nominal.

Lastly, I would beg to submit that constitutionally it may be proper, but politically it has been most improper and Parliament has not been afforded an opportunity to consider it, much less to ratify it. In future, the hon. Prime Minister may consider it in his wisdom if it would not be proper for him to enter into agreements subject to ratification by Parliament. After all, here is the Parliament and it is not a democratic luxury. Our voice may be feeble; still, our voice also represent a section of the people. And the ceding away of territory is not the Congress Party's territory nor Opposition party's territory; it is the nation's territory, and when nation's territory is ceded away every section of the nation's view must be taken into account, however insignificant it may be. Therefore, I venture to submit once again to the hon. Prime Minister that as Leader of the House and as leader of this Government and, over and above that, as Prime Minister of this country, let him create a convention by which all such agree-

ments and instruments have at least a semblance of Parliament sanction and the Parliament is not presented with a *fait accompli* to give its approval.

Shrimati Ila Palchoudhuri (Nabadwip): Mr. Deputy-Speaker, we have to discuss this in an atmosphere which is engendering a lot of emotion. There is already a hartal in West Bengal and I think that a certain amount of emotion on this question is justified. But, at the same time, I am very surprised to hear some of the arguments that have been advanced from the opposition for the cause for engendering this emotion as regards these two Bills. The opposition member who preceded me said that he would ask the Prime Minister to come to Parliament before he ratifies any agreement.

Shri Mahanty: I said that we can enter into agreements subject to ratification.

Shrimati Ila Palchoudhuri: Yes, subject to ratification. Here, Sir, I can only say that we have elected the Prime Minister and he enjoys the confidence of the country. If for everything he has to come to Parliament, ratify and then go back and sign the agreement I do not think that would be for the good of the country. I think the country has that confidence in the Prime Minister for him to go in for any agreements or anything that he thinks is right for India. The country is behind him and will support him.

Secondly, I was rather surprised that my very esteemed friend, Acharya Kripalani, said that they did not love their country. Who has loved the country more than the Congress Party or the Prime Minister himself? I certainly hold that if any ratification of this agreement has caused a certain amount of criticism, we must remember that the Prime Minister has done it, or the Congress Party is going to ratify it not because they love India less but because they love India's prestige more. It must be remembered that we are absolutely behind the

[Shrimati Ila Palchoudhuri]

Prime Minister if it is a question of international prestige.

But there are one or two things I wish to put in all humility before the House. There has been this feeling of lack of consultation. Why has it been felt? It is not for me to say. But, perhaps, in future I think there should be closer collaboration over issues like this with all the States so that nothing like this happens. About maps also, the hon. Prime Minister has been very kind to put the maps in the library. Everyone has been able to see these maps for himself now. But I do not think they have been publicised as much as they should have been so that everybody could have given his opinion after seeing those maps.

Thirdly, I would like to mention that we have always sought friendship with Pakistan. That has been the policy of India. I think friendship with all countries, including Pakistan, is the only and right policy for India, and our stand has been justified all over the world. But Pakistan's attitude is rather hard to define. Now let me quote a gem from President Ayub Khan's statements, which he has been making off and on. It has been made in Indo-China Bandung of all places, where he has made a speech. After saying various other things about India and Pakistan—let them go—he says, rather the report says:

"The President said that after freedom the Muslims found that their fears were justified."

I ask him where the Muslims found their fears were justified. There are four crores of Muslims in India, living like our brothers. There are not 4 crores of Muslims even in one sector of Pakistan, either in East Pakistan or West Pakistan. So, actually, in India we have more Muslims living in some States than in any sector of Pakistan, and they live like our brothers. And what President Ayub Khan is reported to have said could

not have any bearing on our attitude towards Muslims. We have always upheld that attitude. It is with this attitude of mind that we have gone on to have these various processes of friendship, which we hope will result in lasting friendship. But I do not know how far it will take us. We only hope it will take us far and reason will prevail on all sides.

Shri Chanda has suggested something which, in the context of this discussion, I would like to bring to the notice of the Prime Minister. When the transfer of Berubari takes places refugees will be a concomitant thing. Actually speaking, I do not think it will be a feasible proposition to ask the tea gardens to give up their land to resettle the refugees. Because, land in tea gardens will be only in small bits. So, it is only right that Government should develop all land on our side of Berubari so that these people do not have to go very far away from the place where they are residing and they do not find themselves in an atmosphere which is not congenial to them. Let at least these refugees not be sent away to Dandakaranya or to the Andamans, because they are not the kind of people who will really be able to feel themselves at home in those places. I think it will be the duty of the West Bengal Government, with the full help of the Centre, to settle them as near their present places of residence as possible, Bengal itself. After all, the resettlement of one thousand families or so is not such a big question when 43 lakhs of refugees have come to West Bengal. Of course, they have not been fully rehabilitated. Yet, that is the state of affairs. I hope also that even though the doors of India are kept open for the people from Berubari, it will not be the doors that lead them to the streets of Calcutta where they live like cats and dogs.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shrimati Ila Palchoudhuri: Two minutes more and I will have finished.

I, Sir, rise to support these two Bills. I also commend my two amendments that I have given notice of, namely, that it may be included in the body of the Bill. When such Bills are passed, amendments to the Constitution are made and people are made homeless, in our Constitution this thing should actually be embodied that their rehabilitation will be considered in full. That should be in the Constitution. That is why I commend my amendment which I hope to place before the House when the clause comes up.

I only appeal to all concerned that we have to stand by the hon. Prime Minister because it is an international treaty. We give our full support to it. It is wrong to say that we have agitated the people in Bengal and then come and support the hon. Prime Minister here. It is absolutely untrue because Members of Parliament have not agitated the people in Bengal. Some of them may have put forth their views. But ultimately we certainly support the hon. Prime Minister. We have taken many things from the English Constitution and usage, sir, let us think of the motto of the English monarchy, in this context namely, "Dieu et mon droit" that is "God, and my right."

श्री बजरंग सिंह : उपाध्यक्ष महोदय, यह बिल इतना महत्वपूर्ण है कि जिस को किसी भी राष्ट्र के इतिहास में आने के बहुत कम अवसर मिलते हैं। मुझे दुःख है कि हिन्दुस्तान की जनता की राय लिये बिना ही, हिन्दुस्तान की जनता को पूरे विश्वास में लिये बिना ही, और उन की प्रतिनिधि जो यह संसद् है उसे विश्वास में लिये बिना ही एक ऐसी कार्रवाई हिन्दुस्तान के प्रधान मंत्री की ओर से की गई, जिस के लिये हमें संविधान में अब संशोधन करना पड़ रहा है। मैं इस विषय में नहीं जाना चाहता कि जब यह समझौता कर लिया गया है तो उस समझौते को यह संसद् भंग कर दे। मैं मानता हूँ कि यन्त्र की सरकार के द्वारा यदि कोई भी इस

तरह के समझौते होते हैं जिन का अन्तर्राष्ट्रीय महत्व है तो देश की प्रतिष्ठा का प्रश्न उठा कर उन्हें हमें मान ही जाना चाहिये। लेकिन प्रश्न तो यह है कि इस तरह की परिस्थितियाँ क्यों आती हैं सरकार के सामने, जब संसद् को बिना विश्वास में लिये हुए, बिना उस से पूछे हुए, बिना हिन्दुस्तान की जनता को विश्वास में लिये हुए, इस तरह की घटनाएँ घटित होती हैं। यदि इतिहास को हम पलटें तो सन् १९४७ में जो कुछ हुआ वह भी बिना देश की जनता के राय के हुआ था और इसीलिये देश की जनता के करोड़ों लोग इधर से उधर गये, घरों की सम्पत्ति बरबाद हुई और लोगों की इज्जत लूटी गई। एक दूसरा समय यह आया है। मैं समझता हूँ कि सन् १९४७ की घटना से देश की सरकार ने कोई उपदेश नहीं लिया, कोई पाठ नहीं सीखा। यदि बेल्वाड़ी के प्रश्न पर आज मुल्क में इतनी गर्मी है तो गर्मी सिर्फ इसलिये नहीं है कि हमें थोड़ी सी जगह पाकिस्तान को देनी पड़ रही है। बल्कि गर्मी इसलिये है कि हम इस तरह की बातें कर के मुल्क में कुछ परम्परायें कायम कर रहे हैं, कि यदि भविष्य में किसी दूसरे हिस्से का प्रश्न आये, जो आज हमारे कर्जों में पूरी तरह नहीं है, या हिन्दुस्तान और चीन की सीमाओं के विवाद का प्रश्न आये तो आये भी इस तरह की गलती की जा सकती है। इस लिये हिन्दुस्तान की जनता इस तरह सोचती है।

14.15 hrs.

[MR. SPEAKER in the Chair]

मैं विश्वास के साथ कह सकता हूँ कि यह केवल एक सीमा का मामूली सा प्रश्न नहीं है, यह सारे देश का सवाल है। अगर एक छोटे से इलाके के बारे में इस तरह की बात हो सकती है तो हिन्दुस्तान की सरकार बड़े इलाकों को समझौतों के द्वारा दूसरे मुल्कों को दे सकती है और बाद में आ कर हम से कह सकती है कि यह राष्ट्र की प्रतिष्ठा का सवाल है, प्रधान मंत्री की प्रतिष्ठा का सवाल है,

[श्री ब्रजराज सिंह]

इसलिये उस को कायम रखा जाना चाहिये । मैं कहना चाहता हूँ कि यह प्रतिष्ठा का सवाल इस तरह पर उठा क्यों करता है ? हिन्दुस्तान की सरकार के पास क्या कोई कानून विशेषज्ञ नहीं थे जिन को यह जानना चाहिये था कि हिन्दुस्तान की सरकार को बिना संविधान में परिवर्तन किये हुए इस तरह का समझौता करने का कोई अधिकार नहीं ? ताज्जुब है कि जब यह प्रश्न संसद् में आया तो मेरे मित्र श्री त्यागी के इस प्रश्न को उठाने पर ही सरकार को पता लग सका कि संविधान के अन्तर्गत सरकार को इस तरह का अधिकार नहीं है । इतनी बड़ी सरकार चलती है, उस के पास इतने कानून विशेषज्ञ हैं, लेकिन इस के बावजूद एक गैर सरकारी मेम्बर को सरकार को यह बतलाना पड़ा कि वह संविधान के अन्तर्गत यह काम नहीं कर रही है । यह बड़ी ही अजीब बात है ।

श्री त्यागी : मैं सरकारी मेम्बर हूँ ।

श्री ब्रजराज सिंह : आप सरकारी मेम्बर तब होते जब आप मिनिस्टर होते । आप पहले मिनिस्टर थे, अब मिनिस्टर नहीं हैं । लेकिन अगर आप मिनिस्टर की तरह बोलना चाहते हैं तो मुझे कोई ऐतराज नहीं है ।

मैं निवेदन कर रहा था कि ऐसे सभी प्रश्नों पर सरकार को पूरे विचार के साथ, पूरी गम्भीरता के साथ विचार कर के समझ लेना चाहिये कि वह जो कुछ भी करने जा रही है वह संविधान के अन्तर्गत जो अधिकार हैं उन के अन्दर है या नहीं । बिना संविधान का आदर किये हुए अगर इस तरह की बात कर भी दी जाती है तब सरकार के सामने यह प्रश्न उठा करता है कि यह प्रतिष्ठा का सवाल है, यदि इस समझौते को तोड़ दिया जायेगा और संसद् इसे नहीं मानेगी तो दुनिया में हमारी बदनामी हो जायेगी । मैं मानता हूँ कि लोगों का सरकार से कितना भी मतभेद

हो, जब इस तरह का कोई समझौता होता है तो देश को उस के पीछे होना ही चाहिये, लेकिन प्रश्न यह है कि पहले से इस पर विचार क्यों नहीं किया जाता है कि जो कुछ हम करने जा रहे हैं वह, संविधान के अन्तर्गत जो अधिकार हमें प्राप्त हैं उन के अन्दर आता है या नहीं । इसीलिये मैं कहना चाहता हूँ कि यह हिन्दुस्तान के जनतंत्र के लिये एक भयानक वस्तु होगी कि संसद् द्वारा, संविधान द्वारा जो अधिकार हमें प्राप्त हैं, हमारी सरकार को प्राप्त हैं, उन के विरुद्ध सरकार कोई काम करे और उसके बाद संविधान में परिवर्तन का बिल लाया जाये । इस से देश का जनतंत्र मजबूत नहीं होता है, इस से देश के जनतंत्र के लिये खतरा पैदा हो सकता है । आज कोई सरकार है, कल कोई दूसरी सरकार हो सकती है, वह इस तरह के काम करती चली जाये और बाद में आ कर कहे कि हम तो संविधान में संशोधन कर रहे हैं क्योंकि यह हमारी प्रतिष्ठा का सवाल उठ गया है, यह बहुत खतरनाक बात हो सकती है । इसलिये मैं कहूंगा कि हमेशा यह खयाल रखा जाना चाहिये कि संविधान के अन्तर्गत हमें क्या शक्ति हासिल है और उसी शक्ति के मुताबिक हम काम करें ।

इसी संदर्भ में मैं यह सुझाव दूंगा कि कोई भी हिन्दुस्तान का प्रधान मंत्री यदि कोई इस तरह का समझौता अन्तर्राष्ट्रीय पैमाने पर करे तो उस समझौते में यह शर्त रखनी चाहिये कि हम यह समझौता कर रहे हैं पर संसद् द्वारा इस का समर्थन होगा । यह संसद् द्वारा स्वीकार कर लिया जायेगा तभी अमल में आयेगा । मैं समझता हूँ कि इस में प्रधान मंत्री की ताकत को कम करने का सवाल नहीं है, यह हमारे देश के जनतंत्र के वास्ते ही एक आवश्यक चीज है । अगर देश में जनतंत्र चलना है तो संसद् सर्वशक्तिमान संस्था है । उस संस्था को न भेज कर खास तौर पर ऐसी सूरत में जब कि मुल्क का कोई

हिस्सा दूसरे मुल्क को दिया जा रहा हो, यदि कोई काम किया जाता है तो यह ठीक नहीं है और इस तरह की बात उठनी नहीं चाहिये। मैं चाहूंगा कि हिन्दुस्तान की सरकार भविष्य के लिये कम से कम ऐसी परम्परायें कायम करेगी कि जब इस तरह का कोई प्रश्न उठता है तो समझौते में एक शर्त यह रखी जायेगी कि जब तक संसद् इस का समर्थन नहीं करती है, उस को मान नहीं लेती है, तब तक इस समझौते का कोई हिस्सा अमल में नहीं आयेगा। मैं समझता हूँ कि इस तरह की परम्परायें कायम कर के देश में जनतंत्र और अधिक मजबूत हो सकता है, खास तौर पर ऐसी परिस्थितियों में जब हमारे मुल्क के आस पास की जगहों में, पड़ोसी देशों में जनतंत्र कमजोर हो रहा है। हम ने अभी सुना कि नेपाल में जनतंत्र को दफना दिया गया है, और उस से पहले हम पाकिस्तान में देख चुके हैं कि वहाँ जनतंत्र को खत्म किया जा चुका है। ऐसी सूरत में हमें वे सारे कदम उठाने चाहियें जिन से देश में जनतंत्र मजबूत हो। मैं समझता हूँ कि जनतंत्र तभी मजबूत हो सकता है जब देश की संसद् की शक्ति सब से ऊंची रखी जाय और खास तौर पर कोई ऐसा काम न किया जाये जिस से संसद् की ताकत कम होती हो।

यह कहते हुए अन्त में मैं कहना चाहूंगा कि बेल्ग्राडी के प्रश्न से हमारे मुल्क की इस प्रतिष्ठा के अलावा उन लोगों का भी सम्बन्ध है, उन दुर्भाग्यशाली व्यक्तियों का सम्बन्ध है जो कि उस के कारण सम्पत्तिविहिन हो जायेंगे, जिन की सम्पत्ति चली जायेगी, जिन के लिये खाने पीने का कोई साधन नहीं रहेगा। आज जब यह बिल पेश है तो संसद् का कर्तव्य है कि वह देखे कि वहाँ के लोगों को कहीं पर तकलीफ न हो, उन को अच्छी तरह से पुनःस्थापित किया जाये, रिहैबिलिटेड किया जाये और उन की सारी तकलीफों को दूर

किया जाये। यह कह देना ही आम तौर से कि हम उन लोगों को रिहैबिलिटेड कर देंगे, काफी नहीं है। इस से कर्तव्य पूरा नहीं हो जाता क्योंकि हम पंजाब और बंगाल के संबंध में पहले भी देख चुके हैं कि पंजाब के सीमान्त के भाइयों ने, बंगाल के भाइयों ने हमें आजाद कराने के लिये, देश को आजाद कराने के लिये इतनी कुर्बानी दी, लेकिन उन के साथ हम को जो कुछ करना चाहिये था उतना हम नहीं कर पाये हैं। मैं चाहूंगा कि हिन्दुस्तान की सरकार यह ध्यान में रखे कि हिन्दुस्तान की प्रतिष्ठा को कायम रखने के लिये, हिन्दुस्तान के प्रधान मंत्री की प्रतिष्ठा को कायम रखने के लिये जिन दुर्भाग्यशाली नागरिकों का जीवन खतरे में पड़ता है उन की सुख सुविधा में कमी न हो और यह कोशिश की जाये कि उन लोगों को हर तरीके से राहत पहुंचाई जाये और उन का पुनर्स्थापन किया जाये।

अन्त में मैं कहूंगा कि इससे हिन्दुस्तान की सरकार को सबक लेना चाहिए, और आगे इस तरह के प्रश्न हमारे सामने न आवें, चाहे वे चीन और हिन्दुस्तान की सीमा, विवाद के बारे में हों या काश्मीर के बारे में हों, जिससे भविष्य में यह कहने का मौका मिले कि हमने हिन्दुस्तान की संसद् से बिना पूछे ही इस तरह के काम कर डाले हैं।

मैं समझता हूँ कि अब मुल्क के सामने सिवा इसके और कोई चारा नहीं है कि वह जो कुछ समझौता हिन्दुस्तान के प्रधान मंत्री ने किया है, जिसको नेहरू-नून समझौते का नाम दिया जाता है। उसे कड़वी गोली समझते हुए भी, उसे दुर्भाग्यशाली समझते हुए भी, उसको मान ले यदि उसको अपनी प्रतिष्ठा कायम रखनी है और अगर उसको अन्तर्राष्ट्रीय क्षेत्र में अपना सिर ऊंचा रखना है। लेकिन उसे मानते हुए भी इस बात का ध्यान रखना होगा कि ऐसा करके हम देश के कुछ नागरिकों को, जो पूरी तरह से देश के नागरिक हैं और जिनको नागरिकता के उतने ही अधिकार हैं जितने किसी ऊँचे से ऊँचे आदमी को इस देश में

[श्री बजराल सिंह]

हो सकते हैं, उनके नागरिक अधिकारों से वंचित कर रहे हैं। हम आशा करते हैं कि उनके जीवन का ख्याल रखा जाएगा और उनके भविष्य का ख्याल रखा जायेगा।

इस शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

Shri P. C. Borooah (Sibsagar): Mr. Speaker, although I come from one of the States which is also considerably affected by the Indo-Pakistan Agreement, I have no hesitation to accord my whole-hearted support to these measures and I also congratulate our great Prime Minister for marshalling the Indo-Pakistan Agreement to a successful end.

An. Hon. Member: What success?

Shri P. C. Borooah: The hon. Prime Minister, in one of his speeches, mentioned that the division of the country was itself an illogical thing and any act of commission or omission or any illogical thing if to meet the events arriving out of that illogical act done now, should also be conceded to. It is a misfortune of the greatest magnitude that we had to agree to the division of the country to win the fruits of the struggle for independence. That misfortune is all the same therefore both for India as well as for Pakistan. When we agreed to the partition of the country, the question of delimitation of boundaries came in. As a result of that, we had to face disputes and differences in alignment of boundaries. To solve these boundary disputes, we obtained the services of Justice Radcliffe and in his award, he has considerably reduced the differences and disputes. Then, again, the Bagge tribunal came and by his award, these disputes were further reduced. Whatever was left after these awards has been ironed out by the Indo-Pakistan Agreement.

By this Agreement, India has to give some territory to Pakistan and

some territory is going to be got by India. The trend of the debate was not so much against the merger as it was against the transfer of an area of our territory viz. Berubari. It will be wrong on our part if we do not give the territory that is due to Pakistan and take only our part which is due to us. It is like one coin having two sides. If we take the coin, we must have to take both the sides. We cannot take only the head and leave out the tail. An agreement, if it is to last long, should be fair and it should not be only to the advantage of one party.

I am not a lawyer myself. So, I do not want to deal with the constitutional aspects of the matter. It has been ably dealt with by my lawyer friends. But even as a layman, I can say that this House has got full competence and is a sovereign body which can make, unmake and amend any law. By bringing forward up these Bills, I think, the observations made by the hon. Supreme court have been fully honoured.

Let us go back to the year 1958 and the first 9 months of 1959. What happened in the borders? Every day, day in and day out, we heard about disturbances, shooting, firing, looting, and so on and so forth. We remember in this House how many valuable hours we had to spend over discussing the border disturbances in the shape of the adjournment motions, questions, debates and so on. We were anxious to see that the people in the border areas lived peacefully. What were the suggestions put forward by all the Members at that time? Only we put questions to the Government, the action the Government was taking to stop the disturbances. There was no concrete suggestion from the side of the Members. There were before the Government and the people of the country two alternatives, either declaration of war against Pakistan or settlement of matters by negotiations. The Government has rightly adopted

the latter course. As a result of the negotiations, the Indo-Pakistan Agreements came in. In fact, since the Agreements were concluded, the border areas are comparably calm. No report of trouble of any serious character has come to our notice, and the people in the border areas have been able to live peacefully.

So far as my own State is concerned, although we do not know actually what is the extent of area which will be exchanged, it is about 17 square miles and 130 acres will go to Pakistan as per the statement of the explanatory Memorandum circulated to us. Similarly so far as Punjab is concerned, 2·13 square miles and 91 acres will go to Pakistan. So far as Bengal is concerned, Berubari which is about 9 or 10 square miles would go to Pakistan. Our sacrifice is not less than Bengal. We have given up 17 square miles. What for? We have not raised any objection. The people of Assam, the Assam Government and the Assam legislature supported this move. What for? For the greater good of bringing about a peaceful atmosphere in the Assam-Pakistan border, that means Indo-Pakistan border. So far as Berubari is concerned, I would like to say that it is not alone Bengal's. It is ours as well. It is India's. We are equally aggrieved to have to sacrifice Berubari for this greater cause. Although Assam and Punjab did not behave very properly in a few recent incidents—in the language question, etc.,—but in this matter, Assam and Punjab have behaved very creditably and have shown how to honour a National Agreement, how to raise the prestige of the country and the prestige of the Leader of the House and Prime Minister of the country in international sphere.

Shri Bimal Ghose: Why not take the suggestion of the Home Minister about Language?

Shri P. C. Borooah: I will take another opportunity to speak on that. It is not the question of language now. So far as this matter is concerned, I hope the whole country will follow

Assam and Punjab and support this move, support these Bills and support the Indo-Pakistan Agreement.

Shri Subhiman Ghose: You have raised the prestige by beating the Bengalees.

Shri P. C. Borooah: I really sympathise with the people of West Bengal. I really sympathise deeply with West Bengal. It has suffered most as a result of the Partition. They have not been able to settle their refugees. They have been badly truncated, their families separated and their homes broken. Yet, I would venture to request my Bengali friends that for the greater good or for the greater cause, they should accept these measures, just as we are also accepting them.

Our great saint Acharya Vinoba Bhawe has also advised us to accept this Indo-Pakistan agreement. He has said:

"The controversy is like a fly that has fallen in a glass of milk. We remove the fly, but do not want to throw away the milk. We should eschew controversy and work the agreement in good spirit."

This is the advice given by the Acharya Vinoba Bhawe, and I hope we shall not miss this occasion, to follow his advice, and considering that this is an international agreement between two countries, we shall support it, and we shall subscribe to these two measures before the House, leaving aside our party affiliations.

With these words, I support the motions, and I thank you, Sir very much for giving me an opportunity to speak on behalf of a State which has been equally affected by the Indo-Pakistan agreement.

Shri Ajit Singh Sarhadi (Ludhiana): I rise to support the two Bills that are under consideration before the House. I admit that ceding of any territory is a very serious and an important matter and must be under the control and scrutiny of this

[Shri Ajit Singh Sarhadi].

House but we have got to see whether in the Bills under consideration, any ceding is involved in the manner and in the sense which are sought to be made out by certain hon. Members. I admit that the Supreme Court has held this transfer of the enclaves as ceding of territory. But the approach of the Supreme Court was a legalistic approach, in the sense that these portions constituted part of India for a pretty long time and had been administered as such, and, therefore, from a legal point of view, all the necessary formalities should have to be gone through before such ceding took place. But, otherwise, if we look at the problem, I would submit that it is an agreement between two sovereign States, deciding certain border issues that were involved as a result of the Partition of the country, and as such, this agreement must be seen in its political and historical background.

Of course, there may be a criticism on the ground that the agreement is detrimental to the interests of the country, either strategically, or economically or politically, or socially, but it cannot be said that while entering into this agreement, we are ceding any territory as a gift or transferring it in any mistaken manner.

As I was submitting, the basis of these two Bills is the agreement that the two sovereign States have entered into, and this agreement has got a certain political and historical background.

The political background is the condition that has been prevalent for the last thirteen years on the two borders of this country. A reference has been made by the hon. Member who preceded me to the tense situation that prevailed all these thirteen years, and to the disturbed conditions in which the border people were living, and the urgency on the part of the Government of India to settle the problem.

There were three alternatives before the Government of India in this connection. The first alternative was to leave the position as it was, and to occupy and remain in possession of those enclaves which were theirs, in accordance with the interpretation which they were making of the Radcliffe Award. We have got to judge whether this alternative was good for the country, which involved the frittering away of the energies for the protection of the border unnecessarily, while we could come to an agreement, particularly, in the light of the circumstances that obtain today, namely the incursions on our border with China, which are more important and are of a graver nature and as such demand greater attention. From this aspect too, I would submit that we could not accept the alternative of keeping the *status quo* and remaining in possession on our own interpretation.

The second alternative was that we should go for arbitration. There also, we should have negotiation first. You will agree, and I am sure, that all Members of this House will agree that arbitration always succeeds negotiations, and does not precede negotiations. It is our good fortune that at the negotiation stage itself, we were able to reach a decision and a compromise, by the transfer of the enclaves. It is not only the Berubari area or enclave that is involved in the clause relating to mutual exchange, but there are others also. We are giving about 119 enclaves comprising an area of 26 or 27 square miles, and we are having about 74 enclaves comprising of an area of about 19 square miles. Punjab is losing nearly 24,949 acres, thereby displacing about 750 families, comprising a population of nearly 3500, and those too are all displaced persons. But I would submit that this agreement has to be seen in its political background and the exigencies of the time and their political importance. I would repeat that the Government of India did well in entering into negotiations and settled

the matter once and for all. That aspect, I submit, is the political aspect in which it has to be seen. The historical aspect is the Partition of the country.

I entirely agree with my hon. friend Shri Anil K. Chanda that nobody deplores the Partition as much as he does or as I do, along with about 9 million more people who have been displaced from East Bengal and West Punjab, who had to leave their hearths and homes and migrate to this country, and I submit that the names of those who have suffered will go down in the history of the country in golden letters, because they have suffered for a noble cause and that cause was Independence. In the exigencies of the situation that had arisen, there was no way out but to have Partition. But my grouse as a Punjabi is certainly against the boundary commission, particularly against Sir Cyril Radcliffe who was the arbitrator and who gave the award. The House will recall that one of the terms of reference given to the boundary commission was as follows:

"The boundary commission is instructed to demarcate the boundaries of the two parts of Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so, it will take into account other factors."

Similar was the term of reference in regard to Bengal also. So, other factors were also to be taken into consideration, while the arbitrator was to give his award. I am not aware of the conditions in Bengal, but so far as Punjab is concerned, I would say that despite the fact that the boundary commission of Punjab, I mean, the two members who were there from East Punjab, emphasised certain very important and basic factors which should be taken into account in the matter of the division of that State, no account was taken of those factors. They were very important factors.

What tragedy it was that thought the Punjabis have suffered, particularly, the Sikhs, of whom nearly 40 per cent has been displaced, who have lost 75 per cent of their worldly goods, it came as a surprise that a very important and historic Gurudwara, namely the Kartarpur Gurudwara, where the first Guru later settled and died, which is just across border at a stone's throw, was given to Pakistan. It could have been easily brought in here as an enclave. That was one of the factors which the arbitrator could have considered, and which was emphasised by the two members from Punjab who were the members of the boundary commission; yet, no consideration was given to them. I wish that our representatives who were demarcating the territory and delimiting the areas on the basis of the Radcliffe Award had brought in this issue also; yet, I could appreciate their difficulties, because they were bound by the Radcliff Award, and they could not go beyond the Radcliffe Award. I agree that it was a mistake on the part of the arbitrator that while giving the award, he did not look into this aspect that he was creating an international frontier, and an international frontier between two sovereign States must be a natural frontier and must be a very strategic frontier. But the line was drawn without considering all these factors. Yet, I wish that the agreement between the two countries or the discussion between the representatives of the two countries had been on the lines that not only should the frontier remain a natural frontier but it should also be a strategic frontier, because it is going to be an international frontier, not a frontier between two States of one Union. However, as I said earlier, there were limitations, on the Government of India, because they could not go beyond the Radcliffe Award. I am aware of the limitations of the Government of India because they could not go beyond the Radcliffe Award. The Radcliffe Award being the basis, they could not go beyond it. When we have got to have an interpretation of

[Shri Ajit Singh Sarhadi.]

the award, we must go by the lines laid down there. In this process, Punjab has, as I submitted, very much suffered. But I am grateful, and we must all be grateful, to Sardar Swaran Singh who so ably conducted the negotiations in a proper manner and decided on an amicable solution in regard to Punjab as well as Assam.

Now, much emphasis has been laid on the Berubari area. Our sympathies go to the population that would be displaced. I am glad that the Government of India and the Prime Minister—he said so in his opening speech—have undertaken to give rehabilitation benefits to them. They have said that all sorts of facilities on migration will be given to them. I submit that this issue of Berubari should also be judged in the context of the background of the Radcliffe Award. My hon. friend Shri Vajpayee, said that we had looked into the map that the External Affairs Ministry showed us last evening, and he felt that in a court of law or before an arbitrator—of course, there would be no court of law as between two sovereign States—we would have won. I regret that I cannot agree with him. I have studied the map pertaining to Berubari and with that analytical mind I can say....

Shri Assar (Ratnagiri): Has the hon. Member seen the map?

Shri Ajit Singh Sarhadi: I have seen the map. Whether the hon. Member was there or not, I cannot say. But I have looked into the map.

Shri Assar: The officials were not able to explain it.

Shri Ajit Singh Sarhadi: My hon. friend will agree that there was certainly confusion where the line went when it went to Cooch Behar. If we had entrusted the matter to an arbitrator, was there not a possibility that the whole might have gone? In order to keep up amicable relations—and when there is a case of a disputed nature

where the wording of the Radcliffe Award does not give any lead in that matter—what is the harm in our coming to this agreement? I concede that there is suffering involved to those who will be displaced. But I believe that in a treaty between two sovereign States, in negotiations and agreement between two countries, two neighbouring countries, who want to maintain good relations, especially when it is based on a just basis and a just reason, we should accept it. I still challenge my hon. friends who doubt this to look into the Radcliffe Award and say whether there was any definite conclusion reached on this. There was no specific reference in the Award to this (*Interruption*).

I would submit that there is a third aspect also to this, namely, the moral aspect. I disagree with hon. Members who say that it should be subject to ratification by Parliament. Of course, Parliament is a sovereign body. But when agreements at international level have to be reached, unless the executive of the people have got complete authority and unless we give them full support, they will not be in a position to discharge their responsibilities.

For these reasons, I fully support the two Motions.

पंडित ब्रज नारायण "ब्रजेश" (शिवपुरी) :

कृष्ण वन्दे जगद्गुरुम् । अघ्यस महोदय, बेरूबाड़ी के प्रश्न पर सदन में पूर्ण रूप से वादविवाद हो चुका है ऐसा मैं समझता हूँ और अब जो विचार व्यक्त किये जा रहे हैं वे ही विचार हैं जिन्हें पूर्व ही व्यक्त किया जा चुका है । बेरूबाड़ी की घटना वास्तव में बड़ी साधारण घटना है, कोई बहुत लम्बी चौड़ी भूमि नहीं दी जा रही है, कोई करोड़ों और अरबों का नुकसान नहीं हो रहा है । परन्तु इस दृष्टि से इस पर विचार नहीं किया जाना चाहिये । आज तो हम यह देख रहे हैं कि देश में धीरे धीरे देश की सीमाओं को सशक्त बनाने के लिये जिस प्रकार का वायुमंडल

निर्मित होना चाहिये उस का निर्माण नहीं हो रहा है, और उस का कारण यह है कि हमें सम्पूर्ण देश में इस वायुमंडल का निर्माण करने के लिये जिस प्रकार की नीति को लेकर चलना चाहिये था । वह ले कर नहीं चले रहे हैं । बेरूबाड़ी की घटना तो उस माला की एक गुरिया है जिस का हम ने अपनी भावना द्वारा निर्माण किया है, और उस का सूत्रपात पाकिस्तान के निर्माण से ही हुआ है । पाकिस्तान का निर्माण ही नहीं हुआ होता यदि गांधी जी की भावना के अनुकूल हम ने आचरण किया होता । हम ने सत्य अहिंसा का उद्घोष बनाकर अपना युद्ध प्रारम्भ किया परन्तु हम ने स्वयम् सत्य की हत्या को और हिंसा को प्रोत्साहन दिया । पाकिस्तान स्वीकार नहीं किया जाना चाहिये था, परन्तु फिर भी किया गया और इस प्रकार से सत्य की हत्या हो गई, और इस सत्य की भी हत्या हम ने तब की जब हिंसा का सूत्रपात हुआ । यदि पाकिस्तान देना है, और सिद्धान्ततः देना चाहिये था तो बिना हिंसा को प्रोत्साहन दिये हमें उसे दे देना चाहिये था । परन्तु दिया तब जब सम्पूर्ण रूप से हत्या हुई और फिर यह कहा गया कि परिस्थिति इस प्रकार की निर्मित हो गई कि यदि पाकिस्तान नहीं देते तो काम चल नहीं सकता था । इस लिये देना पड़ा । तो यह देना पड़ा, जो हो गया उसे भूल जाओ, आगे की सोचो, इस तरह से कहने से कैसे काम चलेगा ? कब तक हम इस प्रकार भूलते रहेंगे और आगे की सोचते रहेंगे, यह एक समस्या है, यह एक प्रश्न है जिस का सुलझाव होना चाहिये । हम नित्य प्रति सुनते हैं कि छोड़ो जो हो गया वह हो गया ।

पिष्टं पेषणम् नास्ति

पिसे हुए को बार बार पीसने से क्या फायदा? जो हो गया हो सो गया । 'लेट बाई गान बी बाई गान' भी ठीक है लेकिन कब तक ऐसा ही चलता रहेगा और हम भूलते रहेंगे ? आज बेरूबाड़ी है कल कोई दूसरी समस्या होगी, फिर तीसरी हो जायगी । फिर कहेंगे कि इसे राष्ट्रीय

दृष्टि से तय करो और आगे की चीजों पर ही विचार करो । आज सब से बड़ी समस्या यह भी है और व्यावहारिक दृष्टि से भी हम देखते हैं कि जब भी कोई काम करने में हमें हानि होती दिखाई देती है तो बड़ा छोटे का सहारा लेता है और छोटा बड़े का सहारा लेता है । यहां पर बड़े छोटे का कोई प्रश्न नहीं है, फिर भी प्रजातांत्रिक दृष्टि से सहारा लेना होता है । प्रधान मंत्री के पास बहुत बड़ा सहारा था, वे कह सकते थे नून साहब से । वास्तव में नून साहब कितने बुद्धिमान थे यह पाकिस्तान ने सिद्ध कर दिया । उनसे समझौता करने में हमने कितनी बुद्धिमानों की यह भी इस से प्रकट हो गया कि जिस आदमी से बात हम करने चले वह आदमी खुद प्रथम कोटि का बुद्धिमान हो गया, परन्तु फिर भी प्रधान मंत्री को बहुत बड़ा सहारा हो गया था । जब वह नून साहब से बात कर रहे थे तो हो सकता है कि उन्होंने गर्दन दबाई हो, तंग भी कर दिया हो, गोली चली थी, लड़ाई भी चलती थी पाकिस्तान से, मारकाट होती थी । कोई भला आदमी क्यों चाहेगा कि मार पिटाई होती रहे और हम उसे सहन करते रहें । प्रबन्ध न सोचें । शांति मोल लेने के लिये और पाकिस्तान को प्रसन्न करने के लिये हमने यह समझौता किया तो समझौता करते समय यदि प्रधान मंत्री महोदय थोड़ी जागरूकता से काम लेते, बुद्धिमत्ता से काम लेते और कहते कि हम प्रयत्न करेंगे, लेकिन फिर भी मेरे ऊपर लोक सभा है, तो अधिक अच्छा होता । जिस प्रकार हम प्रधान मंत्री का आदर करते हैं और अपने आदर को प्रधान मंत्री के आदर पर न्योछावर करने के लिये तैयार हैं अथवा जिस प्रकार देश प्रधान मंत्री का सम्मान करता है, वह धन वे ट्राफिक नहीं होना चाहिये । प्रधान मंत्री को भी सदन के सम्मान का और देश के सम्मान का ध्यान रखना चाहिये । ऐसे किस तरह चलेगा कि केवल देश ही प्रधान मंत्री का सम्मान रखे और प्रधान मंत्री देश का सम्मान न रखें, लोक सभा तो प्रधान

[पंडित ब्रज नारायण "ब्रजेश"]

मंत्री का सम्मान करे और प्रधान मंत्री लोक सभा को अपना एक खिलौना समझे ? यह कार्य दोनों तरफ से होना चाहिये । मेरा निवेदन यह है कि प्रधान मंत्री को नून साहब से बात करते समय अथवा पाकिस्तान के साथ बात करते समय थोड़ी सावधानी से काम लेना चाहिये था । संधि करते समय, संधि विग्रह भी राजनीति की एक महान कला है । जो व्यक्ति संधि विग्रह में कुशल नहीं है वह राजनीति शास्त्र को भी नहीं जानता । वह राज्य चलाने की योग्यता को सिद्ध नहीं कर सकता है । संधि विग्रह के समय यह सावधानी परमावश्यक है । (Interruptions) अगर कुछ कहना है तो जोर से बोलो । इस वक्त हिन्दुस्तान के नाश का प्रश्न है और ये लोग हंसने बैठ गये । इस लोक सभा को उपहास बना लिया है । बड़ी से बड़ी बातों को हास्य विनोद में ढालना चाहते हैं । केवल जब मैं पैसा डालकर और बिल बना कर घर चले गये, इस के लिये लोक सभा की सदस्यता नहीं होती, यह गम्भीरतापूर्वक कार्य करने के लिये है । अगर कोई शंका हो तो जोर से बोलो और यदि कोई शंका नहीं है तो चुपचाप बैठो । यह क्या बात है ? सदन की प्रतिष्ठा को ध्यान में रखना परमावश्यक है ।

मैं यह निवेदन कर रहा था कि प्रधान मंत्री महोदय जो इतनी महत्वपूर्ण बात कर रहे थे, वे कह सकते थे कि आप जो भी कह रहे हैं वह मुझे स्वीकार है, मैं प्रयत्न करूंगा, लेकिन आप जानते हैं कि मेरे सामने भारत का संविधान है, मेरे सामने लोक सभा है, सदन है । मैं जा कर आप की बात रखूंगा और उन को राजी करने का प्रयत्न करूंगा । सदन और विधान यदि दोनों में किसी प्रकार का मतभेद उत्पन्न नहीं होता, विधान मना नहीं करता और सदन स्वीकार कर लेता है तो मैं आपकी बात को मानने के लिये

तैयार हूँ और आप को यह हिस्सा दे दिया जायेगा । और ऐसा घरों में भी होता है । घर का कर्ता चाहे वह वृद्ध हो, मान वृद्ध हो, वयोवृद्ध हो, अगर वह किसी से बात करने जाता है और यह देखता है कि उसको वह बात स्वीकार करने में अड़चन है, तो कहता है कि मेरा लड़का भी अब बड़ा हो गया है और होशियार हो गया है उस से पूछ कर मैं यह काम कर सकता हूँ । तो चलो सदन को और संविधान को छोटा कह कर भी प्रधान मंत्रीजी इस प्रकार बोल सकते थे । और अगर वह समझते हैं कि संविधान और लोक-सभा के वह रिप्रेजेंटेटिव हैं, तो उनकी प्रतिष्ठा को रखने के लिये वह इस प्रकार से बोल सकते थे कि भाई अभी हमारे पिता जी जिन्दा हैं, हमको उनसे पूछना पड़ेगा । तो दोनों ही प्रकार से काम चल सकता था, पर न छोटा बन कर न बड़ा बन कर उन्होंने इस प्रकार बोला बल्कि उनकी बात को स्वीकार कर लिया । अब यहां आपत्ति खड़ी हो गई कि उनको ऐसा करने का पूर्ण रूप से अधिकार नहीं था । तो फिर चले सर्वोच्च न्यायालय के सामने । सर्वोच्च न्यायालय ने अपना निर्णय दे दिया कि जब तक संविधान का संशोधन न हो तब तक देने का अधिकार नहीं है । तो सोचा कि चलो संविधान का संशोधन कर लेंगे । अपने आदमी बैठे हैं, उनसे कह देंगे कि हाथ ऊंचा कर दो ।

हम लोग जो यहां बैठे हैं वह प्रधान मंत्री जी का सम्मान तो करने को तैयार हैं सम्मान भी सम्मान के साथ होना चाहिये । एक को अपमानित करके दूसरे का सम्मान करना ठीक नहीं है । हम अनेकों बार अनेकों बातों में प्रधान मंत्री महोदय का समर्थन कर चुके हैं । हमने आलोचना करने का कोई ठेका नहीं ले रखा है और न केवल शासन की आलोचना करने हम यहां आये हैं । इसलिये मेरा यह निवेदन है, और खास तौर पर मुझे दुःख इसलिये होता है कि जिस भूमि में पैदा

हुये सुभाष उस भूमि का हुआ सर्वनाश, और उसके पश्चात् पुनर्वास पुनर्वास, अर्थात् पुनर्वास, और विश्व में होता है हमारा उपहास, फिर हमसे कहते हैं कि इन बिलों को करदो पास। तो यह किस तरह से हो सकता है। इस लिये मेरा निवेदन है और मेरी प्रार्थना है कि जनता को बिना राय लिये हमें इसको पास नहीं करना चाहिये। जनता ही इस देश की सच्ची प्रतिनिधि है, जनता का देश है और जनता का ही संविधान है। इस लिये जनता से बिना पूछे इसको पास करना उचित न होगा। इसी दृष्टि से निवेदन करके मैं अपना कथन समाप्त करता हूँ।

Shri C. K. Bhattacharya (West Dinajpur): Mr. Speaker, Sir, the Prime Minister yesterday referred to the Partition of India as illogical. It is not only illogical; it was a great historical tragedy. The greater tragedy was the fact that the Partition was carried out, at least so far as West Bengal was concerned on a map that was materially defective, full of inaccuracies and I would go further and say, on a fake map, a fabricated map, fabricated for the definite object and deliberate object of depriving India of large areas that would not have been possible if a correct map were supplied to Sir Cecil Radcliffe. As soon as his Award was announced, I took up this question and I approached the External Affairs Ministry to take up the question of an uncorrected map supplied to him. He had been misled and more than 600 square miles of area in Nadia, to which Shri Tridib Kumar Chaudhuri referred yesterday, had been lost to India. This is the reply I received from the External Affairs Ministry:

"Whilst there may be minor adjustments of boundary in the course of actual demarcation on the ground, there is no ambiguity about the Award and it has been correctly interpreted in the present demarcation."

So, in 1948, the External Affairs Ministry was under the impression that

there was no ambiguity about the Radcliffe Award, at least so far as an individual citizen of India was concerned. I was not in Parliament then but as an individual citizen outside Parliament I did the best that I could do to draw the attention of the Government to this material defect in the map on which the Partition of West Bengal was based. I was not discouraged by this letter from the External Affairs Ministry. I wrote back to them and again the reply is, from a Deputy Secretary:

"I am directed to say that the Government of India is advised that there is no discrepancy between the map and the Radcliffe Award nor is there any reason to believe that the map is fabricated."

Ten years have passed and I put this question today. What stands in the way of the External Affairs Ministry to tell the same thing to Pakistan. To an Indian citizen they can say that there is no discrepancy between the written Radcliffe award and the map and that there is no ambiguity about the award. This could be said to me. But could not the same thing be stated in the face of Pakistan when it put its claim to Berubari in 1958?

But I was not discouraged even by the reply that I received. I put my proposition in print and sent a copy of it to Sir Cyril Radcliffe himself and I requested him to review his Award as he had given an Award on a mistaken fact. He was very kind to me and in his own hand-writing he sent me a reply and he said that after having giving an Award, he did not want to go into it further and the two Governments might adjust it between themselves.

I am telling you what I did, Sir, I approached Sir Gopalaswamy Ayyangar who was in charge of the External

[Shri C. K. Bhattacharya]

Affairs Ministry. I came to Delhi and he told me to see him in Calcutta where he was going. I saw him in Raj Bhavan in Calcutta with maps and also with some local people. Shri S. Dutt, the Secretary, was with him and Shri Gopalaswamy Ayyangar wanted him to understand this case. I explained to him that the position of a particular river was completely shifted. The Radcliffe map has been placed in our Library and I request hon. Members to go and scrutinise the maps and see how they are shown. In the Bagge Award the Government of India's case was based on the river Matha Bhangra and this particular river in the Radcliffe Award map is not shown correctly. The map shows three Mathabhanga rivers and the correct position is not shown at all. The result is that those five thanas which should have been shown on the west of the river and which, if shown on the west would have come to West Bengal, are shown on the east of the river and have gone to Pakistan. I explained the case to Shri Dutt and at first he hesitated. Then the chairman of a local municipality, Meherpur, who was with me explained to him and said to him: "Mr. Dutt, you were posted in our area in early career and visited our place sometimes on duty, do you remember to have crossed the river when you came to visit my house?" Shri Dutt replied: "Yes". Then, he asked him to see the map and say whether it showed the correct position. Then, Shri Dutt agreed that it was wrong and he told Shri Gopalaswamy Ayyangar that what we said was right. This has happened within my own experience. But unfortunately Shri Gopalaswamy Ayyangar did not take up this case and he said: "The Award had been given; what can we do now?"

I did not rest there; I did not feel discouraged. When the Bagge Tribunal was appointed, I approached the Chairman of the Tribunal and I wrote to him that he should allow me to present this case to him, to appear before the Tribunal. He

replied that the Tribunal was appointed to hear the Government *versus* Government case and that it would not hear private parties. Even then I was not discouraged and I sent a copy of my publication to each one of the Judges. I sat through the hearings of the Tribunal and had the satisfaction to see that one of the Judges, Justice Chandrasekhara Iyer put this question twice, once to the Advocate-General appearing on behalf of India and again to the Advocate Mr. W. W. Page appearing on behalf of Pakistan: "Would you put this case of the lower reaches of Mathabhanga before us?". The Advocate-General appearing on behalf of India replied: "No, Sir". The Advocate-General appearing on behalf of Pakistan said: "No, Sir."—of course it was not in the interest of Pakistan to do it. There, Sir, the matter ended.

15 hrs.

Why has this question been reopened now? When Pakistan comes up, why can't the same stubborn attitude be shown to Pakistan that the External Affairs Ministry showed dealing with me. The statements in their letter that I am reading out are quite clear, categorical, positive and even to the point of becoming pontifical. Why should the Ministry feel shaky in putting up that very stubborn attitude when Sir Feroze Khan Noon or anybody comes up on behalf of Pakistan, when they raised this question of Berubari?

Sir, Berubari is not an enclave. It belongs to the main land of India; that should be remembered. The transaction between the two Prime Ministers related to the exchange of enclaves. Berubari is not an enclave. About the enclaves there is no question. The people in the different enclaves want to be exchanged. The Indian citizens in Pakistan enclaves want to come over to India. Therefore, in their case there is an agreement. But in the case of Berubari there is no agreement, and the people do not like to be displaced in the way that we are doing.

On this question, Sir, there is some emotion and agitation in West Bengal.

The whole of India should feel it. As I look upon it my mind becomes rather gloomy. This is an unfortunate state which has been kept in a continued irritation and continued tension since 1943—the man-made famine, the direct action of the Muslim League in Calcutta, the havoc in Noakhali, the partition, the coming of refugees from East Pakistan wave after wave, the trouble in Assam and refugees coming and now this Berubari question. What will be the result? If a State is kept in a continued state of irritation year after year what will it generate. This frustration, this feeling of frustration, this irritation, this feeling of humiliation, what will it lead to? This boiling and bubbling cauldron of life, what will it generate? That is the whole thing that my mind is pensively looking after when I am dealing with this question.

Sir, of course, we are supporting this agreement. But when we are supporting this agreement, at once I feel what the position in West Bengal will be. My feeling is that unless there is some change of policy, unless there is some change in the approach, the State itself might be finding itself in such a difficulty that it will be difficult to keep the people in proper order.

Sir, we have seen refugees coming from East Bengal, refugees created by the acts of Pakistan, refugees created by the acts of the Government of Assam and now there will be refugees created by an Act of Parliament—refugees coming in West Bengal wave after wave. This is the thing that the entire House should consider. I appeal to the entire House to consider this case of this unfortunate State. I do not hold anybody responsible, but I say that this has been the fate that Providence has imposed upon us.

I shall say only one thing about the inaccuracies of the map which was brought before the Boundary Commission in which there were two Indian Judges—the late Shri B. K. Mukherjee who became the Chief Justice of India and the late Shri C. C. Biswas who

became the Law Minister. They detected the inaccuracies in the map and called for an explanation from the Government as to why inaccurate maps were prepared and supplied. The Director of Land Records gave this explanation:

“These maps were originally prepared at the instance of the Hon’ble Mr. Fazlur Rahman, Minister, Land and Land Revenue, to whom and to the Hon’ble Mr. Suhrawardy copies were supplied in manuscript. These not being departmental maps the work was left to the Additional Officer in charge (now Officer in charge) Mr. Alauddin, who was asked to submit the required copies direct to the Hon’ble Ministers.”

The Director of Land Records knew nothing of these maps. These maps were being prepared between Mr. Suhrawardy and Mr. Alauddin in the office of the Director of Land Records. Then he says:

“As I have explained above, the maps were not required in connection with the work of my Directorate. I did not scrutinise them at all and left it to Mr. Alauddin to prepare them as best as he could. Consequently I cannot certify the accuracy of the maps in the same way in which I could certify the departmentally published map.”

This Mr. Alauddin went over to East Pakistan, became the Director of Land Records there and came before the Bagge Tribunal to plead the case of Pakistan against the maps which he himself had prepared and which he himself knew were full of material defects.

So far as West Bengal is concerned, Sir, this is the situation. We are supporting the Prime Minister’s motion before the Parliament but, at the same time, I only want you to consider what the results of the whole thing will be so far as West Bengal is concerned.

[Shri C. K. Bhattacharya]

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Mr. Speaker, Sir, I brought forward this motion before this House in no light frame of mind. It is not the kind of a motion, any how, which could be treated with levity. But, in the particular circumstances that have accompanied it in Bengal, specially, and the rest of India, it is obvious that it threw a considerable burden on us.

I am grateful to those hon. Members who have spoken, whether they have criticised my action or commended it. Apart from the views they might have expressed by their generous understanding of this broad position that I ventured to put forward, even though they have agreed with much that I did or said, as I said yesterday, I know the deep feelings that are involved in this matter, specially in Bengal, and I can, if not fully appreciate it, understand it.

Shri Bhattacharya who has just been speaking, Sir, went back into the past history—1948. He said how wrong maps were prepared, faulty maps were prepared and how with tremendous persistence he pursued this matter. That itself indicates the difficulties and confusions at that very time. We had to deal with this tremendous operation of the cutting up of India into two parts. We had to deal with this at a moment of enormous upheaval and trouble, more specially in Northern India, the Punjab, and here, the doors of Delhi, and elsewhere. Behind that external upheaval was the tearing apart of people's minds and souls all over India. It was no small matter that occurred to India then and no one in India, I am sure, approved of it or liked it. They suffered, but sometimes it so happens that the things we describe intensely and gravely have to be put up with. We are not always masters of our destiny nor are even great countries masters of their destiny. They are conditioned by various ways and so we were tremendously unhappy about the course of events. This par-

tion came about and it came about certainly with our agreement though not with gladness or joy. After that major thing was over, all kinds of odd bits remained and we went on pursuing them not only in this physical field of territory but all kinds of things, financial, this, that and the other, and we go on pursuing them although 12 years have gone by.

Then there is the cession—cession or transfer, in whatever way you call it, it does not matter. It is of course cession, but essentially it is an outcome of the partition which has pursued us and strained us for the last ten years. Shri C. K. Bhattacharya said how he went to Shri Gopalaswamy Ayyangar who was then not exactly in charge of the External Affairs Ministry but who was in charge, at my request, of all matters relating to Pakistan in the External Affairs Ministry and dealt with them. There were very complicated affairs coming up continuously and he being, I thought, a very able, wise and painstaking man, I felt that he would be able to deal with them more effectively and more wisely than perhaps I would in my hurry. So, he was good enough to take these matters up and he dealt with them so long as he was alive. When Shri C. K. Bhattacharya went before him and pleaded, as he has just stated—I do not know that, and have no doubt he did it—Shri Gopalaswamy Ayyangar gave the only answer which could be given at that time, namely, that rightly or wrongly, the arbitrator was appointed—it was a kind of arbitration, the Radcliffe Award was something slightly different from arbitration more or less—and anyhow they had decided, and there is no appeal from that decision and we have to take it. If we have to swallow the camel, we have to swallow its tail, or whatever it is, also.

Take another thing to which some hon. Members referred yesterday, and that is the Chittagong hill tracts. By no process of logic could I imagine

than or now why the Chittangong hill tracts were given over to Pakistan by Mr. Radcliffe. There is no logic about it. If the logic was that of content or population, Hindu or Muslim or other, I may say that the Chittagong hill tracts hardly have any Muslims or Hindus for the matter of that. They are Buddhists. There it was, but clearly and specifically, they gave the Chittangong hill tracts to Pakistan: Mr. Radcliffe gave those tracts to Pakistan, and we are very sorry, about it. We commented on it but we do not know what to do about it. There is no appeal from that. We could hardly ask them to sit again in review of their own order. We have to swallow it, whether we like it or not.

Perhaps the House will remember that after Mr. Radcliffe had finished his giving the award, in Pakistan there was a great agitation against Lord Mountbatten for having influenced Mr. Justice Radcliffe to give the award in certain particulars in India's favour. There was a tremendous agitation, and a very exceedingly unfair agitation because it meant that Lord Mountbatten had gone out of his way secretly and furtively to influence the judge in dealing with this matter—a very improper thing, if he did it. I am only pointing out how the atmosphere in those days was; this tremendous agitation took place and Lord Mountbatten was not in a position to reply to it. It was not proper for him to reply, and in fact, he was treated with very considerable discourtesy by the then Pakistan authorities. He was once coming to India, and as far as I remember, they did not even approve of his passing over, flying over, Pakistan territory to come to India. They had gone to that extent. They told him—he said so. Because you betrayed us and handed over a part of Punjab—part of Gurdaspur district—and you induced Mr. Radcliffe to do that, after he had decided not to do that. It was completely baseless, without foundation. So, all these things were happening. We had to accept anyhow, whether we liked it or not. That was our frame of mind then except that

we disliked it intensely; we disliked many things that were contained in it. But we accepted the Radcliffe award. That was then our frame of mind.

Shri C. K. Bhattacharya referred to the letters which were from Under Secretaries or others in the External Affairs Ministry to the effect that they accepted the award. As it was, it was natural at that moment.

Subsequently, when these matters were examined and discussed, difficulties arose. Separate interpretations arose. As a result of that, Mr. Justice Bagge came on the scene and a number of matters were referred to him. This was very soon after the Radcliffe award. It is perfectly true that, as has been pointed out by hon. Members, that Barubari was not referred to Justice Bagge. Obviously we could not refer it. Pakistan did not refer it, although a little time after, they raised it, and that too eight or nine years ago—not a new thing.

Shri A. C. Guha said that right from 1950 onwards, the West Bengal Government has been against the transfer of Berubari or against recognising any Pakistan's right. That is perfectly true. We have been against it too; all the time we have been fighting for it all these years. The Government of India have been fighting since 1952 about Berubari—fighting in the sense that there was correspondence, etc., and rejecting Pakistan's claims, which was the same thing,—and not only about it but about a number of other matters. That is a continuous process going on for the last eight years specifically from 1952, and in the course of this period, hardly any question in dispute was decided. They have all been piling up—on the Punjab side, on the Bengal side and on the Assam side.

The House will remember a little incident which excited our people considerably—the occupation of Tukurgram in Assam. It rightly excited them, because of the manner it came about Tukurgram was not one of

[Shri Jawaharlal Nehru]

the dispute between India and Pakistan directly; indirectly,—not about Tokergram—there was a dispute about a wider area, some kind of dispute. But Tokergram itself was not in dispute. They suddenly came and occupied the area. It was a small area about 100 acres or so, or perhaps it was 200 acres: I forget. It was part of Tokergram on the other side of the river, difficult of access to us, because it was on the Pakistan side. Nevertheless, it was highly irritating and exasperating that this kind of deliberate aggression took place. The little area did not count much, but the manner of doing it was most improper, we thought. It was not, I repeat, one of the basic things. It had nothing to do with interpretation of this, that or the other. It is clear aggression, and therefore, naturally this House and the rest of the country were much worked up and excited about it, and rightly so.

The other disputes, nearly all of them, were associated in some way or other with the interpretation of the Bagge award plus one or two things which had not been clearly referred to in the Bagge papers but which arose subsequently, and we have been wrestling with this for the last eight years. This word is often being used that we dealt with this matter 'casually'. This idea is certainly not correct; it is factually not correct. We might have made a mistake or not; that is another matter. But it has been an exasperating experience, year after year, month after month, dealing with these problems at numerous conferences, usually at the official level, because the matters were in a sense so complicated in detail that they could only be gone into by expert people, looking into every detail. It is not a matter of principle where it comes to the interpretation of some document. It is not a matter of merits; it is not a matter, if I may say so, of consulting anybody locally.

It was a matter of interpreting what Mr. Radcliffe or what Justice Bagge

said, naturally trying to interpret it fairly, but in the best possible way to our advantage. That is the only approach one could make. One could not take up this attitude in the circumstances that while Justice Bagge has decided, if we do not agree or if the people of the place do not agree, that would have been a legitimate thing to do, if we are considering a question of merits. But when the sole question is of interpretation of a document, my asking the poor people to interpret the award of Justice Bagge does not come in.

Shri Goray: The Supreme Court has said in its judgment very specifically that when it went into this matter, it found that it was not an interpretation of the Bagge Award or the Radcliffe Award, but this was done very casually apart from the interpretation.

Shri Jawaharlal Nehru: I do not wish to discuss the Supreme Court's judgment. It is a fact, and I think you will find it in their Judgment, that on these questions, we have been in correspondence with Pakistan for eight years. There has been bulky correspondence about it; there is no doubt about it. It is true, as I have said, that this was not a matter which was referred by Pakistan to Justice Bagge. That is perhaps the reference; that is true. But immediately after, other questions have been referred.

The hon. Member said the other day that there must be two parties to an agreement. Perfectly true. But he added something which was not perfectly true, viz., that there must be two parties to a dispute. That is not true. One person can create a dispute. Two parties are required for an agreement. It is no good my saying on any dispute that I do not agree that there is a dispute. It may be an important dispute or a less important one; that is a different matter.

Take all these border problems. I must have looked at them in the course of these years dozens of

times. I confess quite frankly that some of them are so complicated these revenue papers and others—that I could not master them. I did not try to master those details. I had to leave them to officials who went into them carefully and reported to me the result of their observations. I did not rely on myself. My colleagues in the Foreign Affairs Committee of the Cabinet considered these matters again not with that specific detail, but broadly I kept the Cabinet informed from time to time. Again, I cannot make the Cabinet responsible for any particular decision, but broadly they were kept informed, because it was an important matter.

In this background of consultations, this, that and the other, an occasion arises when one has to take a decision this way or that and someone has to take the responsibility in dealing specially with representatives of foreign countries and in dealing specially with Ministers and Prime Ministers of other countries. It is very difficult at that moment, unless you are given to it, to say, "I cannot do it". If I do not agree, it is a different matter; I say 'no'. But not to come to an agreement if you think it is a right agreement—it is very difficult to carry on in international consultations on that basis. One has to take the responsibility. One may act wrongly; one may be misled; that is a different matter.

In this matter, before the Prime Ministers had met, there have been long consultations, as far as I remember twice at Karachi and Delhi, between officials, officials at the highest level, who may make a mistake or not, but whom I considered far more competent to go into the details than I was, because it was of a complicated nature. Certainly our Commonwealth Secretary knew more about them than I could presume to know. I was often guided by his advice. In matters of principle, of course, I come in. In matters of detail, he has mastered them completely and he discussed them innumerable times with

the representatives of the States concerned, whether it was Assam, Punjab or West Bengal. They were constantly conferring with each other. So, even the thought that there was no attempt at consultation is not correct. It is a continuous process.

But I do admit this. Having consulted everybody repeatedly all the time, the last actual decision is taken. It had to be taken or not taken. I am responsible for that undoubtedly. I consulted some of my colleagues in the Cabinet at the time, but they too had to take broadly the facts that I placed before them. So, I take the full responsibility. It is correct that we consulted everybody repeatedly. It may be said that that last particular decision was not referred formally to, let us say, the West Bengal Government, because we thought that with the past series of consultations with some of their high officials here, we could go ahead. I am not defending that; I am merely explaining the background of all this.

So, we come to an agreement. Taken by itself, one could hold a variety of opinions about Berubari. It was not a clear matter in terms of the interpretation of those papers. It was not a clear matter at all. Having had some experience of international arbitration, etc., it became still less clear to me what the result of another arbitration might be. That is just looking at it by itself. Looking at it in the larger context, there were many gains. There were several areas in dispute, to which reference has been made—the Hilli area, which was in dispute. There was another area in Assam where 12 villages were involved and where we had to face a pretty big obstacle. The obstacle was the opinion of our own Judge, Mr. Justice Chandrasekara Iyer, a Supreme Court Judge, who maybe casually—I think it was casual—had given his opinion against our own case. But imagine, when our own Supreme Court Judge says so, even though casually—as I said, I think it was casual—it was a heavy obstacle to surmount. So, in that

[Shri Jawaharlal Nehru]

matter we fought for this and we got an agreement in our favour about the 12 villages.

After all this constant fighting—by fighting I mean arguments and pressures which were repeated before and which had broken down—at last, we come to a stage when in the balance, we think something is good for us, and something definite. Apart from the goodness of settling and putting an end to these border troubles, it was a thing that in the balance was advantageous to India and to the people of India living in those areas. So, thinking so, we had done something. It is no good telling them, "You go home, we will refer it to Parliament". This could not be done in those circumstances. Well, we took the risk, if you like. We took the decision. The analogy is not a good one, but surely, you cannot ask a Military Commander in the field to refrain from taking a decision and to refer it to somebody in Parliament; you cannot do that. You have to decide then and there what to do, this way or that way. If you are wrong, you suffer; you should suffer and the head should be off. So, this background should be realised and it should not be thought that there was any casualness about it. We repeatedly thought over it. That is one point which I should like the House to remember.

Then again, Professor H'ren Mukerjee said one thing and I think it is really unkind of him to say this. He says or asks: why the Law Minister is not dealing with 'his matter? Why should the Law Minister deal with this matter when it is essentially of my Ministry, I do not understand.

Shri H. N. Mukerjee (Calcutta Central): I did not ask that question. What I said was that the Congress press in Calcutta is trying to justify the indefensible by saying that the Law Minister disapproves of this and he is shoving the job on the shoulders

of the Prime Minister, which I said was fantastic.

Shri Jawaharlal Nehru: I may say first of all that it was completely my job. I have dealt with it from the very beginning. It is my Ministry. It is not proper for me to keep it on somebody else's shoulders. So far as the Law Minister is concerned, whatever his views may be, all of us emotionally feel one way, but apart from the emotional aspect, so far as the law is concerned, I have not taken a single step without his consent and without his approval in these consultations. Here I am talking about the legal part.

Another thing is Professor Mukerjee seems to think that I am afraid of using the word "cession" as if cession would mean something else. I really do not understand the difference in phraseology. It is a cession. Also, it is a thing which is intimately, absolutely hundred per cent, tied up with the partition and what has flowed from it. It is cession and rightly, if I may say so with respect to the Supreme Court, because when the Constitution has defined Indian borders it has included it. Therefore, we have to take it, it is cession.

Shri H. N. Mukerjee: Could you explain how, in that case, you advised the Attorney-General to argue on behalf of the Government of India that it was not cession?

Shri Jawaharlal Nehru: Because, the point was not the word "cession". The point there was what procedure we should adopt here, and it was felt, we felt, certainly it is an arguable point whether we should adopt that procedure or the other, and we told him to do so, because there was some doubt in our minds we sent it up to the Supreme Court. This was about the procedure. You may call it "cession", you may call it "transfer", but that does not make any difference to the essential quality of the case. This is the background.

In these matters with Pakistan I have associated always, because the matters are very complicated, one of my colleagues. Usually, one senior colleague has been associated repeatedly in our dealings with Pakistan. Lately, one or two others have been associated for a couple of years. Sardar Swaran Singh has been associated with it. In fact, he was present at one of these agreements and, if I may say so, it was due to him very largely that an agreement took place, and took place to our advantage. These matters have been pursued not in a single-handed way largely all the time. The Home Minister has been most intimately connected with every conference and everything is referred to him. The Cabinet Committee on External Affairs is there. Sometimes people imagine it is not meeting. It meets, sometimes very frequently, sometimes not so frequently. We always confer with all members or some of them in regard to these matters. There are many telegrams received and many of them come to me every morning, a bunch of them. So, we have proceeded in this way. What am I to do? Shri Bhattacharyya thinks that some document was a forgery. It might have been a forgery. When Mr. Radcliffe called for those maps it was considered good at that time. That is perfectly true. Many of these are subsequent facts. All these charges have come out in subsequent talks, years afterwards during Shri Bhattacharya's investigations and all that. We did not know at that time about this. It is true.

I think it was Shri Vajpayee who said to me that I ought to have been big enough to admit that I have made a mistake; I forget what his words were, but anyhow what he said was something about my not telling what I have been telling—it is rather confusing. Anyhow the point was that I realised subsequently that I have made a mistake and that I should be big enough to admit that. Well, I hope now or hereafter I shall admit mistakes.

Now I want to be perfectly frank about this thing. At that time I was clear in my mind that the whole agreement, including Berubari, in spite of certain aspects of it which were not agreeable to us, was profitable and advantageous to us. That is why I took that step and I remained with that opinion for a considerable time; and I am still of that opinion. But there is a "but". I did not realise then that there is a certain human aspect of it. It is perfectly true. My mind was not applied to it, nor did anybody tell me what the population was and how many people will be affected. Somehow it happened. I am sorry it did not come before me and it was not put before me. And subsequently when this aspect has come before me I have felt troubled in my mind. This fact has troubled me, not in other ways, not about the goodness of the agreement—I think it is a good one; we have lost something, but we have gained a good deal too, and we have to take it in the balance—but when this fact came before me, that so many people would be affected and so many were refugees from Pakistan and they will be again uprooted, ever since this picture came before my mind, I have been troubled about it. But I could do nothing about it, except what I said yesterday; that is, it is our duty to help them in the best way possible. But, still, I hold that the advantages accruing from this agreement far outweigh the disadvantages from the point of view of the whole of India, of our border and even from the point of view of Bengal.

Shri H. N. Mukerjee: Could I ask how did it escape the Prime Minister that a contiguous piece of Indian territory with an overwhelmingly non-Muslim population could be given over to Pakistan? How could it escape his attention?

Shri Jawaharlal Nehru: I have just now said that I did not know what the content of the population was. I did not then know it was overwhelmingly non-Muslim or what the population

[Shri Jawaharlal Nehru]

was. Even part of Berubari is very thinly populated though another part is thickly populated. Anyhow that is a fact that we were thinking in terms of maps, in terms of other things but not in terms of human beings; I confess it; that should have been investigated, but there it was. Now this is the position.

Here I would like the House to remember that it is all very well for some hon. Members to talk about *Dhan* and gift. But I would say respectfully that that has no relation to facts. First of all, it is not a casual discussion. For years and months we discussed it in detail with large maps, small maps and so on. Secondly, here is something which was not a question of giving away. You may as well say that Pakistan gained also as compared to us. It was as good as good agreements and good treaties are, something which was advantageous to both in the balance. Only such agreements are good which bring good results to both in the balance. Because, if you give away something for nothing you lose. But if you receive something for giving away something you do not lose anything. Otherwise, if you only receive something, the other party is aggrieved and the canker goes on. And it was because of this feeling that so many times here in this House complaints have been made about Pakistani aggression on the border. The complaint is justified, but not always, because the area occupied by us, according to Pakistan, was theirs. Those were small areas and, what is more, subsequently went to them too.

So if you have these disputed areas, it is a matter of continuous trouble and dispute and that was a very big thing, namely, to put an end to this dispute.

An hon. Member has pointed out something about the Feni River dispute that Pakistan has refused our rivercraft to work on it. When I say that we have settled all the border disputes, I do not guarantee what other questions may arise between Pakistan

and India but they should not be in the nature of frontier disputes, or rather they should not be the direct consequence of the partition. If a fresh dispute arises about some other matter, it is a different thing. So far as the Feni River fishing rights and other things are concerned, there has been a temporary agreement about the rights of both parties to use the Feni River and I hope there will be no such thing. But I cannot guarantee anything. That is a thing apart, depending upon the relations of the two countries and other things.

So it has been a great gain to us. Some hon. Members from the Punjab spoke and, I believe, said what a great gain it had been to them. Then I refer to Tugkergram which, by itself, is relatively unimportant but it came back to Assam. So this whole picture is placed before this House.

A great deal has been said about no such agreements being made without reference to Parliament. In theory that might appear a good thing. In practice it is exceedingly difficult. There are almost daily agreements between us and foreign countries—not so important, of course, and nothing to do with territory; but daily there are agreements on trade and commerce, cultural, this, that and other constantly coming. It is quite unrealistic to expect every agreement with a foreign country to come here.

Then one might say: All right, let those go, but any agreement which is vital should come. Where to draw the line? It will be very difficult. But, apart from that, in vital agreements there are two types of approaches—the American type and the British type. That approach refers not only to that matter but to constitutional matters and almost everything that we do. The American type is a diffusion of authority of Congress, the President, the judiciary and the Supreme Court—of them all. It was all built up to hold the other and to check the other. That may be one outlook it

may be good or bad. Personally, I do not think it is very good. If I may say so with all respect to the United States it is a colonial type. It is a development of the old colonial type of Constitution. Of course, the people of the United States are able. They are dynamic and progressive. So they have slightly adapted it and they go on with it. But nevertheless it is Constitution which is rather of an old type. The British type is different.

Shri Mahanty: They have no Constitution.

Shri Jawaharlal Nehru: The British type is different, as you know. In the British type the Parliament is supreme. It can do anything it likes—absolutely anything. Perhaps those who are young lawyers might remember, as Dicey wrote, except turning a man into a woman and a woman into a man Parliament can do anything. We have deliberately adopted the British pattern here in our Parliament except for the fact that we are a federal country and the U.K. is unitary. Of course, the federal type, we took from the United States to some extent. For the rest, it is the British type and Parliament is of the British type. The Parliament has, broadly speaking, complete power. A little less because here it is a written Constitution and there it is not written. To that extent it is limited. But, only to that extent, because it can change the Constitution ultimately. Only there are obstructions, there are delays in that. We cannot immediately do things as the British Parliament can do.

In the British type, they have deliberately concentrated on a strong Government without checks, except the major check of kicking out—that always is there—and some other checks. They have concentrated on that, and, if I may say so without any personal reference, have given tremendous authority to the Prime Minister in the British type. He is the key-stone of the whole governmental

structure of the United Kingdom. Everything else revolves round him in theory. In practice, of course, it depends on individuals. A Winston Churchill, whether you give him authority or not, assumes authority because he is a big man. People respect him. That is a different matter. The personal element comes in. But, broadly speaking, the British type gives complete power, one hundred per cent sovereignty to Parliament which the Congress has not got in the United States. It is all hedged in. The Government coming out with a majority in Parliament holds very great authority and all treaty making is done by the Government in England. Of course, they are in constant touch with Parliament. This kind of a thing cannot succeed in law. It depends on all kinds of conventions. The British Government is in constant touch with Parliament, telling them what happens, generally keeping them informed, giving them an opportunity to disapprove or stop them from doing that, all the same not coming to them for sanction to begin with for treaties, etc.

Shri Tridib Kumar Chaudhuri (Bengal): May I point out to the Prime Minister that in the British Parliament, since 1810, so far as treaties involving cession are concerned, a firm convention has grown up of placing all treaties before the House and getting them ratified by the House.

Shri Jawaharlal Nehru: There is a good deal of talk of cession. We have had one real cession or two, if you like. The real cession you have had is cession of some territory to Bhutan some years back. We came up to this House and this House agreed. We are mixing up things. That is one thing. I can quite imagine that if any question of what we may call real cession arises, it would be a highly important and vital matter: not a matter to be dealt with by Jawaharlal Nehru or anybody. That is a different thing. In this Bhutan case, which was not a very important matter, it was real

[Shri Jawaharlal Nehru]

cession of territory. It is only 2½ or may be 5 or 10 square miles, I forget.

Shri Tridib Kumar Chaudhuri:
Thirty-two square miles.

Shri Jawaharlal Nehru: We came to this House, we discussed and we passed. If any such thing occurs, it is inevitable. No Government that I can conceive of can by-pass the House in such a matter. There was a case of acquisition of territory. There was Chandernagore. We came to the House and asked. There may be other cases of acquisition. I cannot personally conceive of any kind of cession of territory of India in the foreseeable future. I just do not see it. If any such contingency arises, no Government, no Prime Minister can take it upon their own shoulders to do anything without the fullest discussion and approval of Parliament. But, as I said, in the history of these matters, you may call it cession, it is different. It is this unfortunate tale of the Partition going on and creating all this trouble. There is another thing, and this I need not go into, but the Radcliffe Award did create a certain grave doubt about Berubari, and it was a case which could be well argued on both sides. If you have any recollection, the written description of the boundary in the Radcliffe Award was very defective in regard to this area. Two points were specified, one, the extremity of the boundary between the Thanas of Pachagar and Jalpaiguri, that is to say, the western boundary of the Berubari Union, and the other, the northern corner of the Thana Debiganj where it meets Cooch-Behar State, that is to say, the eastern boundary of the Berubari Union. This was the description, but there was no indication as to how they were to be linked. There was left a gap. Therefore, you had to go to the map. Now, the normal rule is that where the map and the description differ, the written description should prevail. That is perfectly true, provided the written description is clear.

Here, the written description was not clear it had left a gap, and the map was clear and was against us. These are the basic facts. About four-fifths or five-sixths of Berubari, if we accepted the map—it may be a forged map, I do not know; I cannot say, but if we accepted that—went to Pakistan, about one-fifth remaining with us. If the written description had been dead clear, then we could have thrown away the map, but the written description was not clear. I am not arguing the case. I am pointing out that it was a difficult thing, and about which you could not be sure what the result would be, if it was referred again to arbitration.

Taking this whole picture, we said that in Hilli, this, that and other places, there were definite advantages and here, we thought it better to definitely take half the Berubari Union rather than break the whole thing on that issue and later, perhaps, be confronted with not having Berubari Union at all. This is the position put in a nut-shell. Now, there can be two opinions about it, but it certainly was not a casual way of doing it, it certainly was not a gift to anybody.

There is one thing that I should like to mention in this connection. May I point out to you that the various disputes which were settled,—which are not referred to because they were settled in our favour,—in West Bengal, the Hilli area comprising about 34·86 square miles, two chitlands of Cooch-Behar comprising 2 square miles, and on the Assam border, Bholaganj comprising about 75 square miles and the Kushiara villages comprising about 9 square miles, were all settled in our favour?

There is just one more matter and I have done, and that is that, when, as I said, this human aspect of the situation came before me, that this involved a population of five or six thousand, about six thousand, let us say, and that the great majority of them were Hindus, about three-quarters of these

Hindus were people who had come from Pakistan as refugees, I was distressed at the idea of uprooting people who had once been uprooted; it was bad enough to do it once, but to do it twice was a very painful thought. I did not know what to do about it. I could not, I felt, obviously, go back on the agreement formally signed etc. Revolving this question in my mind, I thought that while we have to go through this, I might at least try by agreement with Pakistan to find some way out of this difficulty. Now, the only possible way could be to offer to exchange an equal or about an equal quantum of territory with them for this Berubari area, about four or five miles. We had, in fact, for a number of months previously been making various suggestions to this end officially, that is, through official sources, and they had not been generally accepted. I had not taken it up at my level, but at the official level. I knew, of course, that the official level does not take one far. It is very rigid. Nevertheless, for many months we had been doing that, without much success.

for us and trouble for them in the shape of bitterness and the rest'.

After that, I did not think it proper for me to make a further request to him in this matter, when he had made it clear that he did not approve of such requests, and that it was our business and our duty to put through the agreement that we had made. There the matter stood. Then there was no way out left for me, and I thought it would not be in consonance with the dignity of our Government or of Parliament for me repeatedly to go to him and beg him to make some changes. That is the position.

Shri Radhelal Vyas (Ujjain): May I seek a clarification?

Mr. Speaker: It is late. I will take up first the motion for consideration of the merger Bill. There is one amendment to it by Shri Sadhan Gupta.

[Shri Tyagi]

consideration has to be separated in the case of each Bill.

Mr. Speaker: I will put the motion for consideration of the Acquired Territories (Merger) Bill first. Then I will put the motion for consideration of the Constitution (Ninth Amendment) Bill to vote. Then we will take up clause by clause consideration of the Acquired Territories (Merger) Bill and get through it completely. Then we will proceed with the consideration clause by clause of the Constitution (Ninth Amendment) Bill and complete it.

First I shall take up the amendment to the motion for consideration of the Acquired Territories (Merger) Bill. There is such an amendment in the name of Shri Sadhan Gupta. Is he pressing it?

Shri Sadhan Gupta: Yes.

16 hrs.

Mr. Speaker: The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1961."

The amendment was negatived.

Mr. Speaker: I shall put the motion for the vote of the House. We are acquiring this property. That is the Bill. I may also inform the House that no special majority is necessary for this Bill. The question is:

"That the Bill to provide for the merger into the States of Assam, Punjab and West Bengal of certain territories acquired in pursuance of the agreement entered into between the Governments of India and Pakistan and for matters connected therewith, be taken into consideration."

The motion was adopted.

Mr. Speaker: I will now come to the other motion relating to the Constitution (Amendment) Bill. For the main

consideration motion there is an amendment. I may inform the hon. Members that so far as this amendment is concerned no special majority is necessary. (Interruptions).

Raja Mahendra Pratap (Mathura): I got no time to express my views and therefore, I am not going to vote.

Mr. Speaker: I am putting Shri Vajpayee's amendment to the motion for consideration in respect of the Constitution (Ninth Amendment) Bill, 1960.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the first day of the next session."

The Lok Sabha divided.

Mr. Speaker: I shall announce the result of the division.

Some hon. Members rose—

Mr. Speaker: I shall hear one by one.

Shri Tridib Kumar Choudhuri, Sir, I voted for "Ayes", but it has not been recorded.

Shri Amjad Ali (Dhubri): Sir, I wanted to vote, but I could not reach my seat in time. I am also for "Ayes".

Mr. Speaker: Such mistakes should be avoided. We will assume that he was in the lobby.

Shri Pramathanath Banerjee (Contai): I voted for "Ayes", but it has not been recorded.

Shri Kadiyan (Quilon—Reserved—Sch. Castes): I voted for "Ayes", but it was not recorded.

Shri P. S. Daulta (Jhajjar): I voted for "Nces", but it has not been recorded.

Shri B. C. Mullick (Kendrapara—Reserved—Sch. Castes): I voted for "Ayes", but it has not been recorded.

Shri B. Das Gupta (Purulia): I voted for "Ayes", but it has not been recorded.

Pandit H. Shastri (Sawai Madhopur): I voted for "Noes", but it was not recorded.

Shri D. C. Mallik (Dhanbad): I voted for "Noes", but it has not been recorded.

Giani G. S. Musafir (Amritsar): I voted for "Noes", but it has not been recorded.

Shri V. N. Swami (Chanda): My vote has not been recorded at all. I voted for "Noes".

Shri T. T. Krishnamachari (Madras—South): I voted for "Noes", but it recorded "Ayes". So one may be deducted from "Ayes" and added to "Noes".

Shrimati Vijaya Raje (Chatra): I voted for "Noes", but it has not been recorded.

Shri More (Sholapur): I voted for "Ayes".

Shri R. D. Misra (Bulandshahr): I also voted for "Noes", but it has not been recorded.

Mr. Speaker: The result of the division* is as follows:

Ayes—44; Noes—328.

The motion was negatived.

Mr. Speaker: I shall now place the motion before the House. This requires a special majority. The question is:

"That the Bill further to amend the Constitution of India to give effect to the transfer of certain territories to Pakistan in pursuance of the agreements entered into between the Governments of India and Pakistan, be taken into consideration".

Those in favour of the motion may say "Aye".

Several Hon. Members: "Aye".

Mr. Speaker: Those against may say "No".

Some Hon. Members: "No".

Mr. Speaker: Let the lobbies be cleared—Division.

Shri Tyagi: They have not demanded a division.

Mr. Speaker: No division need be demanded. I have to take a special vote of this House.

Shri Sadhan Gupta (Calcutta—East): Then why have the voice vote at all?

Shri Naushir Bharucha (East Khandesh): Sir, it is not necessary to have a special vote at the time of putting this motion.

Mr. Speaker: Rule 157 says as follows:

"If the motion in respect of such Bill is that—

(i) the Bill be taken into consideration;

then the motion shall be deemed to have been carried if it is passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting".

That has been so, because this is the foundation of the further passage of the Bill. If the consideration motion itself is thrown out, then, there is no meaning in proceeding further. I will put the motion to the vote of the House.

The question is:

"That the Bill further to amend the Constitution of India to give

*Names of Members who had recorded votes have not been indicated under the direction of the Speaker as the photo-copy of Division result did not clearly show the names of all Members.

[Mr. Speaker]

effect to the transfer of certain territories to Pakistan in pursuance of the agreement entered into between the Governments of India and Pakistan, be taken into consideration".

The Lok Sabha divided.

Shri T. S. Patil (Akola): My vote may be added for 'Ayes'.

Mr. Speaker: I shall come from the right to the left, one after the other.

The Deputy Minister of Railways (Shri S. V. Ramaswamy): The machine is not working. I am voting for 'Ayes'. My vote may be added.

The Minister of Mines and Oil (Shri K. D. Malaviya): My vote was not recorded. I am for "Ayes".

Sardar A. S. Saigal (Janjgir): I wanted to vote for 'Ayes'. By mistake, I have voted for 'Noes'.

Shri Birendra Bahadur Singhji (Raipur): I wanted to vote for 'Ayes'.

Shri M. H. Rahman (Amroha): I also wanted to vote for 'Ayes'.

Shri D. C. Mallik (Kendrapara—Reserved—Sch. Castes): I wanted to vote for 'Ayes'.

Dr. Ram Subhag Singh (Sasaram): I wanted to vote for 'Ayes'.

Dr. Syed Mahmud (Gopalganj): I wanted to vote for 'Ayes'.

Shri Pramanathan Banerjee (Contai): I wanted to vote for 'Noes'.

Shri Shankar Deo (Gulbarga—Reserved—Sch. Castes): I want to vote for 'Ayes'.

Shri More: I wanted to vote for 'Noes'.

Shri Amjad Ali: My machine is possibly all right. I am for 'Noes'. I did not operate the machine.

Mr. Speaker: I am not going to record it. It is very wrong. It is not

a pleasant duty for me to correct the number, if hon. Members make a mistake. Last time also he committed the same mistake. This time also he has done the same thing. The only punishment is not to record his vote.

Shri Asoka Mehta (Muzaffarpur): It is an important vote. We are dealing with a constitutional obligation. Here we are discussing the constitutional amendment. I do not know whether it is proper for you to say "I will not record somebody's vote" because it raises a very important question. I think that would be a ruling which would create all kinds of difficulties.

Mr. Speaker: I request the hon. Member to bear with me. Suppose I call a division and we assume that hon. Members have to go to the lobbies. Suppose an hon. Member does not rise from his seat and exercise his vote. What am I to do? I told him about this a second time and definitely. All right. As a courtesy to him I am recording it. I do not want to throw out the vote of any hon. Member. But if he would not vote what am I to do?

Shri Asoka Mehta: He is in the House and he wants to vote.

Mr. Speaker: All right. It is a sufficient censure. I will take into account his vote.

Shri Tyagi: To avoid these difficulties for ever, may I suggest that instead of two bells one may be rung and the members may be asked to press their buttons? Then the colour should not come. Then the second bell should be rung and the colour should be switched on. Then the third one should be rung so that there will be time enough. It is all done in such a hurry and therefore mistakes are committed. It is more of a human mistake.

Mr. Speaker: I shall declare the result of the division. I have added Shri Amjad Ali's vote also.

The result of the division is as follows:

Ayes, 333;

Noes 53.

Division No. 7]

AYES

[16.77 hrs.

Abdul Latif, Shri
Abdul Salam, Shri
Abdur Rahman, Maulana
Achal Singh, Seth
Achar, Shri
Achint Ram, Lala
Agarwal, Shri Manakbhai
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Aney, Dr. M. S.
Arumugam, Shri R. S.
Arumugham, Shri S. R.
Ashanna, Shri
Asthana, Shri Lila Dhar
Atchamamba, Dr.
Awasthi, Shri Jagdish
Ayyakannu, Shri
Babunath Singh, Shri
Badan Singh, Ch.
Bahadur Singh, Shri
Bajaj, Shri Kamalnayan
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barrow, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhawani Prasad, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri
Bisai, Shri J. B. S.
Biswas, Shri Bholanath
Borooah, Shri P. C.
Brahm Prakash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chavan, Shri D. R.
Chavda, Shri
Chettiar, Shri Ramanathan
Choudhry, Shri C. L.
Chuni Lal, Shri
Daljit Singh, Shri
Damani, Shri

Das, Dr. M. M.
Das, Shri N. T.
Lasappa, Shri
Datar, Shri
Daulta, Shri P. S.
Desai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Dindod, Shri
Dube Shri Mulchand
Dubish, Shri
Dwivedi, Shri M. L.
Eacharan, Shri V.
Elayaperumal, Shri
Gaekwad, Shri Fatesinhrao
Ganapathy, Shri
Gandhi, Shri M. M.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghosh, Shri Atulya
Ghosh, Shri M. K.
Ghosh, Shri N. R.
Godsora, Shri S. C.
Gohokar, Dr.
Gounder, Shri Doraiswami
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri C. L.
Gupta, Shri Ram Krishan
Harvani, Shri Ansaar
Hansda, Shri Subodh
Hathi, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Iqbal Singh, Sardar
Jagjivan Ram, Shri
Jain, Shri A. P.
Jain, Shri M. C.
Jedhe, Shri G. K.
Jhunjhunwala, Shri
Jinachandran, Shri
Jogendra Sen, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Joshi, Shri Iladhar
Joshi, Shrimati Subhadra
Jyotishi, Pandit J. P.
Kalika Singh, Shri
Kamble, Dr.
Kanungo, Shri
Karmarkar, Shri
Kasiram, Shri Vaddipalli
Kedaria, Shri C. M.
Kesar Kumari, Shrimati
Keshava, Shri
Keskar, Dr.

Khadjwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shah Nawaz
Khimji, Shri
Khuda Bukhsh, Shri M.
Khawaja, Shri Jamal
Kiledar, Shri R. S.
Kistaiya, Shri
Korattkar, Shri
Kotrukapally, Shri
Krishna, Shri M. R.
Krishna Chandra, Shri
Krishnamachari, Shri T. T.
Krishnappa, Shri M. V.
Krishnaswami, Dr.
Kureel, Shri B. N.
Lachhi Ram, Shri
Lahiri, Shri
Laskar, Shri N. C.
Laxmi Bai, Shrimati
Mafida Ahmed, Shrimati
Majhi, Shri N. B.
Majhi, Shri R. C.
Majithia, Sardar
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Malik, Shri D. C.
Malviya, Shri K. B.
Malviya, Shri Motilal
Manan, Shri
Mandel, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Manjula Devi, Shrimati
Masuriya Din, Shri
Mathur Shri Harish Chandra
Matin, Qazi
Mehdi, Shri S. A.
Mehta, Shri J. R.
Mehta, Shrimati Krishna
Melkote, Dr.
Minimata, Shrimati
Mishra, Shri Bibbuti
Mishra, Shri L. N.
Mishra, Shri M. P.
Mishra, Shri R. R.
Mishra, Shri S. N.
Misra, Shri B. D.
Misra, Shri R. D.
Mohammed Akbar, Shaikh
Mohideen, Shri Gulam
Mohiuddin, Shri
Morarka, Shri
Muniswamy, Shri N. R.
Murthy, Shri B. S.
Murty, Shri M. S.
Musafir, Giani G. S.

Muthukrishnan, Shri
Nadar, Shri Thanulingam
Naidu, Shri Govindarajulu
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Naldurgkar, Shri
Nanda, Shri
Nanjappa, Shri
Naraindin, Shri
Narasimhan, Shri
Narayanasamy, Shri R.
Nariendra Kumar, Shri
Naskar, Shri P. S.
Nathwani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Negi, Shri Nek Ram
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Onkar Lal, Shri
Padam Dev, Shri
Pahadia, Shri
Palaniyandy, Shri
Palchoudhuri, Shrimati Ila
Pande, Shri C. D.
Pandey, Shri K. N.
Pangarkar, Shri
Panna Lal Shri
Parmar, Shri Deen Bandhu
Patel, Sushri Maniben
Patel, Shri N. N.
Patel, Shri P. R.
Patel, Shri Raj s war
Patil, Shri S. K.
Patil, Shri T. S.
Pattabhi Raman, Shri C. R.
Pillai, Shri Thanu
Prabhakar, Shri Naval
Radha Mohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghunath Singh, Shri
Raghuramaiah, Shri
Rahman, Shri M. H.
Rai, Shrimati Sehodratel
Raj Bahadur, Shri
Ram Saran, Shri
Ram Shankar Lal, Shri
Ram Subhag Singh, Dr.
Ramakrishnan, Shri P. R.
Ramananda Tirtha, Swami
Ramaswamy, Shri S. V.
Ramaswamy, Shri K. S.

Ramaswamy, Shri P.
Ramaul, Shri S. N.
Ramdhanj Das, Shri
Rampure, Shri M.
Ranbir Singh, Ch.
Rane, Shri
Rangarao, Shri
Rao, Shri Hanmanth
Rao, Shri Jagannatha
Rao, Shri Rajagopala
Rao, Shri Thirumala
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri K. C.
Reddy, Shri Narapa
Reddy, Shri R. L.
Reddy, Shri Ramakrishna
Reddy, Shri Rami
Reddy, Shri Viswanatha
Roy, Shri Bishwanath
Rungsung Suissa, Shri
Rup Narain, Shri
Sadhu Ram, Shri
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Samantsinhar, Dr.
Sambandam, Shri
Sankarapandian, Shri
Sarhadi, Shri Ajit Singh
Satish Chandra, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Shah, Shrimati Jaysaben
Shah, Shri Manabendra
Shakuntala Devi, Shrimati
Shankar Deo, Shri
Shankaraiya, Shri
Sharma, Shri D. C.
Sharma, Pandit K. C.
Sharma, Shri R. C.
Shastri, Pandit H.
Shastri, Shri Lal Bahadur
Shastri, Swami Ramanand
Shivananjappa, Shri
Shobha Ram, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddanajappa, Shri
Siddiah, Shri

Singh Shri C. Saran
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Sinha, Shri Anirudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhara
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Siva Raj, Shri
Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Sonule, Shri H. N.
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.
Tahir, Shri Mohammed
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thomas, Shri A. M.
Tiwari, Pandit Babu Lal
Tiwari, Shri R. S.
Tiwari, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyay, Pandit Munishwar Dutt
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Varma, Shri M. L.
Varma, Shri Ramisnggh Bhai
Vedakumari, Kumari M.
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wadiwa, Shri
Wamnik, Shri Balkrishna
Wodeyar, Shri

NOES

Amjed Ali, Shri
Assar, Shri
Banerjee, Shri Pramatthanath
Banerjee, Shri S. M.
Chakravarty, Shrimati Renu
Chandramani Kalo, Shri
Chaudhuri, Shri T ridib Kumar
Das Gupta, Shri B.

Dasaratha Deb, Shri
Drohar, Shri
Elias, Shri Muhammed
Ghosal, Shri Aurobindo
Ghose, Shri Bimal
Ghose, Shri Subiman
Gopalan, Shri A. K.
Goray, Shri

Gupta Shri Indrajit
Gupta, Shri Sadhan
Jadhav, Shri Yadav Narayan
Kanbie, Shri B. C.
Kar, Shri Prahhad
Khashwaqt Rai, Shri
Kodiyani, Shri
Kumbhar, Shri

Kunhan, Shri
Maharajonkar, Shri
Mabanti, Shri
Maters, Shri
Mehta, Shri Asoka
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H. N.
Mullick, Shri P. C.
Panigrahi, Shri Chintamani

Parulekar, Shri
Parvathi Krishnan, Shrimati
Patil, Shri U. L.
Pillai, Shri Anthony
Prodhan, Shri B. C.
Punnoose, Shri
Rajendra Singh, Shri
Ram Garib, Shri
Ranga, Shri

Sampath, Shri
Shastri, Shri Prakash Vir
Sugandhi, Shri
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Vajpayee, Shri
Verma, Shri Ramji
Warior, Shri
Yajnik, Shri

Mr. Speaker: The total strength of the House is 506, 50 per cent. of which is 253 and 254 is the majority that is necessary and by which it ought to be carried. Those present are 333 plus 53 hon. Members and there are abstentions also. So about 252 or 253 is the total number that is required for a two-thirds majority against which we have 333.

Therefore the motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the hon. Members present and voting.

The motion was adopted.

Mr. Speaker: In one Bill the clauses require special consideration and special voting. Shall I take therefore the Constitution (Amendment) Bill first?

Some Hon. Members: Yes, Sir.

Mr. Speaker: Then we shall take up the Merger Bill later on for which a simple majority is enough. We will take up the Constitution (Amendment) Bill first. We take up clause 2. Is there any amendment to be moved to it?

Clause 2— (Definitions).

Shrimati Ila Palchoudhuri: I have an amendment standing in my name.

Mr. Speaker: Before I catch the hon. lady Member's voice she sits down.

Shrimati Ila Palchoudhuri: I have an amendment in my name but I do not move it.

An Hon. Member: She withdraws it.

Mr. Speaker: When she has not moved it, where is the question of its withdrawal?

Shri Prabhat Kar (Hooghly): Sir, I beg to move:

Page 1,—

for lines 6 to 13, substitute—

'(a) "appointed day" means such date or dates as the Central Government may by notification in the Central Gazette appoint as the date or dates for the transfer of territories to Pakistan in pursuance of the Indo-Pakistan agreements, after causing the territories to be so transferred and referred to in the First Schedule demarcated for the purpose, and different dates may be appointed for the transfer of such territories from different States and from the Union territory of Tripura after such people of the area or areas concerned have been consulted and as a result of the transfer whoever will be uprooted have been adequately compensated and properly rehabilitated;' (12).

Shri B. Das Gupta: I have amendment No. 8 standing in my name.

Mr. Speaker: What is the number of the amendment that Shri Das Gupta wishes to move?

Shri Aurobindo Ghosal (Uluberia): Nos. 8, 9 and 11.

Mr. Speaker: Shri Ghosal is not Shri Das Gupta.

Shri B. Das Gupta: My amendment are Nos. 8, 9 and 11.

Mr. Speaker: They are not to clause 2.

Shri B. Das Gupta: No.

Mr. Speaker: I will then put Shri Prabhat Kar's amendment (No. 12) to the vote of the House.

(Ninth Amendment) Bill

Amendment No. 12 was put and negatived.

Mr. Speaker: For adopting the clause we want a special majority. Let the lobbies be cleared.

Shri Tyagi: May I know raise a point? In the case of voting, this always creates difficulties. If you kindly accept my suggestion made earlier then it will be all right. Instead of these two bells that are run one after the other, if you were to give another bell of caution first, people will use both their hands. Then the light may not be switched on, but it may be switched on when the second bell goes. There will no mistake.

Mr. Speaker: Very well. Hon. Members, in a hurry, may commit some mistakes. But, the mechanism here does not permit that. When I once call Division, the gong rings. I cannot prevent it or ask it to stop for one minute. I am in the hands of the mechanism. Therefore, I shall do this. When I call Division, I will ring the bell with me so that hon. Members may use both their hands and be ready to press. They must use both the hands. Then, I will say Division again. Then this gong will ring.

Shri Jawaharlal Nehru: Please don't say Division twice. You may do whatever you like. You may say get Division No. 8]

Abdul Latif, Shri
Abdul Salam, Shri
Abdur Rahman, Maulana
Achal Singh, Seth
Achar, Shri
Achint Ram, Lala
Agarwal, Shri Manakbhai
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Aney, Dr. M.S.
Arumugam, Shri R. S.
Arumugham, Shri S. R.
Ashanna, Shri
Asthana, Shri Lila Dhar
Atchamamba, Dr.
Ayyakannu, Shri
Babunath Singh, Shri
Badan Singh, Ch.

Bhikhar Singh, Shri
Bajaj, Shri Kamalnayan
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barrow, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhawni Prasad, Shri

ready or whatever it is. Please don't say Division twice. It will be confusing.

Mr. Speaker: To make the hon. Members ready, I shall say so. Let the lobbies be cleared. The lobbies have been cleared.

The question is:

"That clause 2 stands part of the Bill".

Hon. Members will be ready. Division.

The Lok Sabha divided:

The Deputy Minister of Finance (Shri B. R. Bhagat): I want to vote for 'Ayes'. My vote has not been recorded.

Shrimati Kesar Kumari (Raipur—Reserved—Sch. Tribes): I want to vote for 'Ayes'. My vote also has not been recorded.

Shri D. C. Mallik: I want to vote for 'Ayes'. I pressed the button, but it has not been recorded.

Shri Birendra Bahadur Singhji: I want to vote for 'Ayes'. My vote also has not been recorded.

Shri Dasaratha Deb (Tripura): I want to vote for 'Noes'.

Mr. Speaker: The result of the division is as follows:

Ayes 333; Noes 52.

[16.33 hrs.]

AYES

Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri
Bist, Shri J. B.S.
Biswas, Shri Bholanath
Borooh, Shri P. C.
Brahm Prakash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chavan, Shri D. R.
Chavda, Shri
Chettiar, Shri Ramanathan
Choudhry, Shri C. L.
Chuni Lal, Shri
Daljit Singh, Shri

Damani, Shri	Khan, Shri Sadath Ali	Naldurgkar, Shri
Das, Dr. M. M.	Khan, Shri Shahnoawaz	Nanda, Shri
Das, Shri N. T.	Khimji, Shri	Narajpattan, Shri
Dasappa, Shri	Khuda Bukhsh, Shri M.	Naraindin, Shri
Datar, Shri	Khwaja, Shri Jamal	Narasimhan, Shri
Daulta, Shri P. S.	Kiledar, Shri R. S.	Narayanasamy, Shri R.
Desai, Shri Morarji	Kistaiya, Shri	Nariendra Kumar, Shri
Deshmukh, Shri K. G.	Koratkar, Shri	Naskar, Shri P. S.
Deshmukh, Dr. P. S.	Kortukapally, Shri	Nathwani, Shri
Dindod, Shri	Krishna, Shri M. R.	Nayak, Shri Mohan
Dube, Shri Mulchand	Krishna Chandra, Shri	Nayar, Dr. Sushila
Dubliish, Shri	Krsihnamachari, Shri T. T.	Negi, Shri Nek Ram
Dwivedi, Shri M. L.	Krishnappa, Shri M. V.	Nehru, Shri Jawaharlal
Eacharan, Shri V.	Krishnaswami, Dr.	Nehru, Shrimati Uma
Elayaperumal, Shri	Kureel, Shri B. N.	Onkar Lal, Shri
Gackwad, Shri Patesinhrao	Lachhi Ram, Shri	Padam Dev, Shri
Ganapathy, Shri	Lahiri, Shri	Pahadia, Shri
Gandhi, Shri M. M.	Laskar, Shri N. C.	Palaniyandy, Shri
Ganga Devi, Shrimati	Laxmi Bai, Shrimati	Palchoudhuri, Shrimati Ila
Ganpati Ram, Shri	Maftida Ahmed, Shrimati	Pande, Shri C. D.
Gautam, Shri C. D.	Maiti, Shri N. B.	Pandey, Shri K. N.
Ghosh, Shri Atulya	Majhi, Shri R. C.	Pangarkar, Shri
Ghosh, Shri M. K.	Majithia, Sardar	Panna Lal, Shri
Ghosh, Shri N. R.	Malaviya, Shri K. D.	Parmar, Shri Deen Bandhu
Gohokar, Dr.	Malhotra, Shri Inder J.	Patel, Shri Maniben
Gounder, Shri Doraiswami	Malliah, Shri U. S.	Patel, Shri N. N.
Govind Das, Dr.	Mallik, Shri D. C.	Patel, Shri P. R.
Guha, Shri A. C.	Malviya, Shri K. B.	Patel, Shri Rajeshwar
Gupta, Shri C. L.	Malviya, Shri Motilal	Patil, Shri R. D.
Gupta, Shri Ram Krishan	Manaen, Shri	Patil, Shri S. K.
Harvani, Shri Ansar	Mandal, Shri J.	Patil, Shri T. S.
Hansda, Shri Subodh	Mandal, Dr. Pashupati	Pattabhi Raman, Shri C. R.
Hathi, Shri	Maniyangadan, Shri	Pillai, Shri Thanu
Hazarika, Shri J. N.	Manjula Devi, Shrimati	Prabhakar, Shri Naval
Heda, Shri	Masuriya Din, Shri	Radha Mohan Singh, Shri
Hem Raj, Shri	Mathur, Shri Harish Chandra	Radha Raman, Shri
Hukam Singh, Sardar	Matin, Qazi	Raghubir Sahai, Shri
Iqbal Singh, Sardar	Mehdi, Shri S. A.	Raghunath Singh, Shri
Jag jivan Ram, Shri	Mehta, Shri J. R.	Raghubaramiah, Shri
Jain, Shri A. P.	Mehta, Shrimati Krishna	Rahman, Shri M. H.
Jain, Shri N. C.	Melkote, Dr.	Rai, Shrimati Sahodrabai
Jedhe, Shri G. K.	Minimata, Shrimati	Raj Bahadur, Shri
Jhunjhunwala, Shri	Mishra, Shri Bibhuti	Ram Garib, Shri
Jinachandran, Shri	Mishra, Shri L. N.	Ram Saran, Shri
Jogendra Sen, Shri	Mishra, Shri M. P.	Ram Shankar Lal, Shri
Jogendra Singh, Sardar	Mishra, Shri R. R.	Ram Subhag Singh, Dr.
Joshi, Shri A. C.	Mishra, Shri S. N.	Ramakrishnan, Shri P. R.
Joshi, Shri Liladhar	Misra, Shri B. D.	Ramananda Tirtha, Swami
Joshi, Shrimati Subhadra	Misra, Shri R. D.	Ramaswamy, Shri S. V.
Jyotishi, Pandit J. P.	Mohammad Akbar, Shaikh	Ramaswamy, Shri K. S.
Kalika Singh, Shri	Mohideen, Shri Gulam	Ramaswamy, Shri P.
Kamble, Dr.	Mohiuddin, Shri	Ramaul, Shri S. N.
Kanungo, Shri	Morarka, Shri	Ramdhani Das, Shri
Karmarkar, Shri	Muniswamy, Shri N. R.	Rampure, Shri M.
Kasiram, Shri Vaddipalli	Murthy, Shri B. S.	Ranbir Singh, Ch.
Kasliwal, Shri	Murty, Shri M. S.	Rane, Shri
Kedaria, Shri C. M.	Musafir, Giani G. S.	Rangarao, Shri
Kesar Kumari, Devi	Muthukrishnan, Shri	Rao, Shri Hanmanth
Keshava, Shri	Nadar, Shri Thanulingam	Rao, Shri Jaganatha
Keskar, Dr.	Naidu, Shri Govindarajulu	Rao, Shri Rajagopala
Khadivala, Shri	Nair, Shri C. K.	Rao, Shri Thirumala
Khan, Shri Osman Ali	Nair, Shri Kuttikrishnan	Raut, Shri Bhola

Ray, Shrimati Renuka
Reddy, Shri K. C.
Reddy, Shri Narapa
Reddy, Shri R. L.
Reddy, Shri Ramakrishna
Reddy, Shri Rami
Reddy, Shri Viswanatha
Roy, Shri Bishwanath
Rungsung Suisa, Shri
Rup Narain, Shri
Sadhu Ram, Shri
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Samantsinhar, Dr.
Sambandam, Shri
Sankarapandian, Shri
Sarhadi, Shri Ajit Singh
Satish Chandra, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Shah, Shrimati Jayaben
Shah, Shri Manabendra
Shakuntala Devi, Shrimati
Shankar Deo, Shri
Shankarajaya, Shri
Sharma, Shri D. C.
Sharma, Pandit K. C.
Sharma, Shri R. C.

Shastri, Pandit H.
Shastri, Shri Lal Bahadur
Shastri, Swarni Ramenand
Shivananjappa, Shri
Shobha Ram, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddanajappa, Shri
Siddiah, Shri
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Sinha, Shri Anirudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhara
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Siva Raj, Shri
Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Sonule, Shri H. N.
Subbarayan, Dr. P.

Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.
Tahir, Shri Mohammed
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thomas, Shri A. M.
Tiwari, Pandit Babu Lal
Tiwari, Shri R. S.
Tiwari, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyay, Pandit Munishwar Dutt
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Varma, Shri M. L.
Varma, Shri Ramsingh Bhai
Vedakumari, Kumari M.
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wadiwa, Shri
Wasnik, Shri Balkrishna
Wodeyar, Shri

NOES

Amjad Ali, Shri
Assar, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S. M.
Bhanja Deo, Shri
Chakravartty, Shrimati Renu
Chandramani Kalo, Shri
Chaudhuri, Shri Tridib Kumar
Das Gupta, Shri B.
Dasaratha Deb, Shri
Drohar, Shri
Elias, Shri Muhammed
Ghosal, Shri Aurobindo
Ghose, Shri Bimal
Ghose, Shri Subiman
Gopalan, Shri A. K.
Goray, Shri
Gupta, Shri Indrajit

Gupta, Shri Sadhan
Jadhav, Shri Yadav Narayan
Kamble, Shri B. C.
Kar, Shri Prabhat
Khushwaqt Rai, Shri
Kodiyan, Shri
Kumbhar, Shri
Kunhan, Shri
Mahagaonkar, Shri
Mahanty, Shri
Matera, Shri
Mehta, Shri Asoka
Mohan Swarup, Shri
More, Shri
Mukerjee, Shri H. N.
Mullick, Shri B. C.
Panigrahi, Shri Chintamani

Parvathi Krishnan, Shrimati
Patil, Shri U. L.
Pillai, Shri Anthony
Prodhan, Shri B. C.
Punnoose, Shri
Rajendra Singh, Shri
Ranga, Shri
Sampath, Shri
Shastri, Shri Prakash Vir
Sugandhi, Shri
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Vajpayee, Shri
Verma, Shri Ramji
Warior, Shri
Yajnik, Shri

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Amendment of the First Schedule to the Constitution)

Shri B. Das Gupta: I beg to move:
Page 2,—

omit lines 16 to 20. (8).

Clause 3(c) of the Bill reads thus:

“As from the appointed day, in the First Schedule to the Constitution,—

(c) in the paragraph relating to the territories of the State of West Bengal, the words, brackets

and figures 'but excluding the territories referred to in Part III of the First Schedule to the Constitution (Ninth Amendment) Act, 1960" shall be added at the end;"

I want that these words should be deleted.

The whole Berubari affair, as it transpires, has been bungled and mismanaged from the very beginning. The main responsibility also lies with the Prime Minister. Time and again, the Prime Minister has stated that Berubari was a matter of dispute. I would like to quote a few lines from the speech of Shri Bimal Chandra Sinha, Revenue Minister, West Bengal, which he delivered in the West Bengal Legislative Council on the 30th December 1958, when this dispute was raised by Pakistan. He said:

"When after the partition of Bengal, boundary demarcation began—and this is a very important matter that I am going to mention and let the members take note of this—when the boundary demarcation began, it was proceeding smoothly also along the Berubari Union. Sir, the technical process of surveying and delineating a boundary is the first step. The next thing is the preparation of mosaic, that is to say, along a particular line, one party surveys twenty chains on one side and the other party surveys twenty chains on the other side and then these details, maps, etc. are made to tally. This line is a fixed one. Now, when the mosaics were prepared by the Pakistan party, they were sent to us for tallying with ours and when that mosaic was accepted by us, and when our mosaic was prepared and sent to them, suddenly the Pakistan revenue officials accused us of fabricating their mosaic and refused to accept ours. But when the original challan that was forwarded by the Pakistan officials while sending up their mosaic was pointed out, they withdrew from

that position and then the Pakistan Government raised a form of dispute over the Berubari Union."

He says all these things were sent to the Government of India. He says:

"Round about the middle of 1958, we were asked by the Government of India to prepare a list of disputes and send them certain maps and charts and certain data. Sir, I take this opportunity of denying altogether the allegation that no maps and charts were sent. As a matter of fact, all the maps and charts, and the facts of the case—as a matter of fact, no opinion was sought excepting only certain facts—were asked for and the maps and facts were properly sent to the Government of India though we could express no opinion".

This was the position, when the dispute was raised, from the very beginning to the end. It transpires that the whole affair was a piece of bungling and mismanagement. We have seen from the issue of Kashmir to that of China and now that of Berubari, that everything is being bungled and mismanaged. This Berubari affair shows how we mismanage our affairs, whether national affairs or international affairs. It must be admitted that no serious thinking was done by the officials or by the Prime Minister in regard to this matter. So, I request this House to throw out this Berubari portion of the Bill.

Mr. Speaker: The whole discussion centred round Berubari and we had taken over eight hours. No repetition will be allowed. If he has got any new facts, he may present them. If everything has been said already and he has nothing more to add, he may resume his seat. If there is something new, let him give it to the House.

Shri B. Das Gupta: I am saying that the Prime Minister exceeded his power is negotiating the cession of Berubari. According to the international law and convention, if the

[Shri B. Das Gupta]

House rejects that part of the agreement or negotiation, that will in no way hamper the prestige of the Prime Minister on which we are laying so much stress. Now things have come to such a stage, that everything has been concentrated on this that it is a matter of the prestige of the Prime Minister of India. That is why this Berubari cession is being approved by this House now. We are creating very bad precedents. If we have a proper approach to democracy, we would reject it because the whole country, the whole nation is against cession of territory. The Prime Minister should take this into consideration. After he got the opinion of the Supreme Court, the proper course would have been to resign and come before the electorate on this issue as the Prime Minister of Japan did. That would have been the proper democratic approach. We should not create bad precedents in this House on which the future depends to a great extent. Lastly, I beg to remind the House that we must take into consideration the feeling of the whole nation; it is not West Bengal alone; it is the whole of India that speaks against this. The whole of India expresses its indignation over this. Let us take it into consideration and let us create good precedents by throwing out this Bill. We will be then creating good precedents. Other-

Division No. 9]

AYES

Abdul Latif, Shri
Abdul Salam, Shri
Abdur Rahman, Maulana
Achal Singh, Seth
Achar, Shri
Achint Ram, Lala
Agarwal, Shri Manakbbhai
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Aney, Dr. M. S.
Arumugam, Shri R. S.
Arumugham, Shri S. R.
Ashanna, Shri
Asthana, Shri Lila Dhar
Atchamamba, Dr.
Ayyakannu, Shri
Babunath Singh, Shri
Badan Singh, Ch.

Bahadur Singh, Shri
Bajaj, Shri Kamalnayan
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barrow, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhawani Prasad, Shri

Bholl Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholanath
Boroah, Shri P. C.
Brahm Prakash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chavan, Shri D. R.
Chavda, Shri
Chettiar, Shri Ramenathan
Choudhry, Shri C. L.
Chuni Lal, Shri
Daljit Singh, Shri

wise, it will be a disaster for our country and the future.

Mr. Speaker: Does the hon. Prime Minister want to say something?

Shri Jawaharlal Nehru: No, Sir.

Mr. Speaker: I shall put amendment No. 8 to the vote of the House.

Amendment No. 8 was put and negatived.

Mr. Speaker: The question is:

"That clause 3 stand part of the Bill."

The Lok Sabha divided.

Mr. Speaker: I shall announce the result of the division.

Shri Thanulingam Nadar (Nagercoil): I voted for "Ayes", but it has recorded "abstention".

Dr. Atchamamba (Vijayavada): I voted for "Ayes", but it has not been recorded.

Shri C. K. Nair (Outer Delhi): I voted for "Ayes", but it has been recorded as "abstention".

Shri B. Das Gupta: I want to vote for "Noes". I did not reach my seat in time.

Shri Drohar (Hardoi—Reserved—Sch. Castes): I want to vote for "Noes".

Mr. Speaker: The result of the division is:

Ayes: 332; Noes: 47.

[16.51 hrs.]

Damani, Shri	Khan, Shri Shah Nawaz *	Narsindin, Shri
Das, Dr. M. M.	Khimji, Shri	Narasimhan, Shri
Das, Shri N. T.	Khuda Bukhsh, Shri M.	Narayanasamy, Shri R.
Dasappa, Shri	Khawaja, Shri Jamal	Nariendra Kumar, Shri
Datar, Shri	Kiledar, Shri R. S.	Naskar, Shri P. S.
Daulta, Shri P. S.	Kistaiya, Shri	Nathwani, Shri
Desai, Shri Morarji	Koratkar, Shri ¶	Nayak, Shri Mohan
Deshmukh, Shri K. G.	Kortukapally, Shri	Nayar, Dr. Sushila
Deshmukh, Dr. P. S.	Krishna, Shri M. R.	Negi, Shri Nek Ram
Dindod, Shri	Krishna Chandra, Shri	Nehru, Shri Jawaharlal
Dube, Shri Mulchand	Krishnamachari, Shri T. T.	Nehru, Shrimati Uma
Dublish, Shri	Krishnappa, Shri M. V.	Onkar Lal, Shri
Dwivedi, Shri M. L.	Kureel, Shri B. N.	Padam Dev, Shri
Bacharan, Shri V.	Lachhi Ram, Shri ¶	Pahadia, Shri
Blayaperumal, Shri	Lahiri, Shri	Palaniyandy, Shri
Gackwad, Shri Fatesinhrao	Laskar, Shri N. C.	Palchoudhuri, Shrimati Ila
Ganapathy, Shri	Laxmi Bai, Shrimati	Pande, Shri C. D.
Gandhi, Shri M. M.	Mafida Ahmed, Shrimati	Pandey, Shri K. N.
Ganga Devi, Shrimati	Maiti, Shri N. B.	Pangarkar, Shri
Ganpati Ram, Shri	Majhi, Shri R. C.	Panna Lal, Shri
Gautam, Shri C. D.	Majithia, Sardar ¶	Parmar, Shri Deen Bandhu
Ghosh, Shri Atulya	Malaviya, Shri K. D.	Patel, Shri Maniben
Ghosh, Shri M. K.	Malhotra, Shri Inder J.	Patel, Shri N. N.
Ghosh, Shri N. R.	Malliah, Shri U. S.	Patel, Shri P. R.
Godsora, Shri S. C.	Malviya, Shri K. B.	Patel, Shri Rajeshwar
Gohokar, Dr.	Malviya, Shri Motilal	Patil, Shri R. D.
Gounder, Shri Doraiswami	Mansaen, Shri	Patil, Shri S. K.
Govind Das, Dr.	Mandal, Shri J. ¶	Patil, Shri T. S.
Guha, Shri A. C.	Mandal, Dr. Pashupati	Pattabhi Raman, Shri C. R.
Gupta, Shri C. L.	Maniyangadan, Shri	Pillai, Shri Thanu
Gupta, Shri Ram Krishan	Manjula Devi, Shrimati	Prabhakar, Shri Naval
Harvani, Shri Ansar	Masuriya Din, Shri	Radha Mohan Singh, Shri
Hansda, Shri Subodh	Mathur, Shri Harish Chandra	Radha Raman, Shri
Hathi, Shri	Matin, Qazi	Raghubir Sahai, Shri
Hazarika, Shri J. N.	Mehdi, Shri S. A.	Raghu Nath Singh, Shri
Heda, Shri	Mehta, Shri J. R.	Raghumaisiah, Shri
Hem Raj, Shri	Mehta, Shrimati Krishna	Rahman, Shri M. H.
Hukam Singh, Sardar	Melkote, Dr.	Rai, Shrimati Sahodrabai
Iqbal Singh, Sardar	Minimata, Shrimati	Raj Bahadur, Shri
Jaggiwan Ram, Shri	Mishra, Shri Bibbuti	Ram Saran, Shri
Jain, Shri A. P.	Mishra, Shri L. N.	Ram Shankar Lal, Shri
Jain, Shri M. C.	Mishra, Shri M. P.	Ram Subhag Singh, Dr.
Jedhe, Shri G. K.	Mishra, Shri R. R.	Ramakrishnan, Shri P. R.
Jhunjhunwala, Shri	Mishra, Shri S. N.	Ramananda Tirtha, Swami
Jinachandran, Shri	Mitra, Shri B. D.	Ramaswamy, Shri S. V.
Jogendra Sen, Shri	Mitra, Shri R. D.	Ramaswamy, Shri K. S.
Jogendra Singh, Sardar	Mohammad Akbar, Shaikh	Ramaswamy, Shri P.
Joshi, Shri A. C.	Mohideen, Shri Gulam	Ramaul, Shri S. N.
Joshi, Shri Liladhar	Mohiuddin, Shri	Ramdhani Das, Shri
Joshi, Shrimati Subhadra	Morarka, Shri	Rampure, Shri M.
Jyotishi, Pandit J. P.	Mullick, Shri B. C.	Ranbir Singh, Ch.
Kalika Singh, Shri	Muniswamy, Shri N. R.	Rane, Shri
Kamble, Dr.	Murthy, Shri B. S.	Rangarao, Shri
Kanungo, Shri	Murty, Shri M. S.	Rao, Shri Hanmanth
Karmarkar, Shri	Musafir, Giani G. S.	Rao, Shri Jaganatha
Kasiram, Shri Vaddipalli	Muthukrishnan, Shri	Rao, Shri Rajagopala
Kedaria, Shri C. M.	Nadar, Shri Thanulingam	Rao, Shri Thirumala
Kesar Kumari, Shrimati	Naidu, Shri Govindarejulu	Raut, Shri Bhola
Keshava, Shri	Nair, Shri C. K.	Ray, Shrimati Renuka
Keskar, Dr.	Nair, Shri Kuttikrishnan	Reddy, Shri K. C.
Khadiwala, Shri	Naldurgkar, Shri	Reddy, Shri Narapa
Khan, Shri Osman Ali	Nanda, Shri	Reddy, Shri R. L.
Khan, Shri Sadath Ali	Nanjappa, Shri	Reddy, Shri Ramakrishna

Reddy, Shri Rami
Reddy, Shri Viswanatha
Roy, Shri Bishwanath
Rungsung Suissa, Shri
Rup Narain, Shri
Sadhu Ram, Shri
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Samantsinhar, Dr.
Sambandam, Shri
Sankarapandian, Shri
Sarhadi, Shri Ajit Singh
Satish Chandra, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Raje
Shah, Shrimati Jayaben
Shah, Shri Manabendra
Shakuntala Devi, Shrimati
Shankar Deo, Shri
Shankarsiya, Shri
Sharma, Shri D. C.
Sharma, Pandit K. C.
Sharma, Shri R. C.
Shastri, Pandit H.
Shastri, Shri Lal Bahadur
Shastri, Swami Ramanand

Shivananjappa, Shri
Shobha Ram, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddananjappa, Shri
Siddiah, Shri
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Sinha, Shri Aniruddh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhara
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinha, Shri
Siva, Dr. Gangadhara
Siva Raj, Shri
Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Sonule, Shri H. N.
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona

Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.
Tahir, Shri Mohammed
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thomas, Shri A. M.
Tiware, Pandit Babu Lal
Tiware, Shri R. S.
Tiware, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyay, Pandit Munishwar Dutt
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Varma, Shri M. L.
Varma, Shri Ramsingh Bhai
Vedekumari, Kumari M.
Vyas, Shri R. C.
Vyas, Shri Radhela
Wadiwa, Shri
Wasnik, Shri Balkrishna
Wodeyar, Shri

NOES

Amjad Ali, Shri
Assar, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S. M.
Bhanja Deo, Shri
Chakravarty, Shrimati Renu
Chaudhuri, Shri Tridib Kumar
Das Gupta, Shri B.
Dasgupta Deb, Shri
Deo, Shri P. K.
Drohar, Shri
Elias, Shri Muhammed
Ghosal, Shri Aurobindo
Ghose, Shri Bimal
Ghose, Shri Subiman
Gopalan, Shri A. K.

Goar, Shri
Gupta, Shri Indrajit
Gupta, Shri Sadhan
Jadhav, Shri Yadav Narayan
Kar, Shri Prabhat
Khushwaqt Rai, Shri
Kodiyar, Shri
Kumbhar, Shri
Kunhan, Shri
Mahagaonkar, Shri
Mahanty, Shri
Mehta, Shri Asoka
Mohan Swarup, Shri
Mukerjee, Shri H. N.
Mullick, Shri B. C.
Panigrahi, Shri Chintamani

Parmar, Shri K. U.
Parvathi Krishnan, Shrimati
Patil, Shri U. L.
Pillai, Shri Anthony
Punnootte, Shri
Rajendra Singh, Shri
Ranga, Shri
Sampath, Shri
Shastri, Shri Prakash Vir
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Verma, Shri Ramji
Warlor, Shri
Yajolk, Shri

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted

Clause 3 was added to the Bill.

The First Schedule

Shri Aurobindo Ghosal: I beg to move:

Page 2,—

omit lines 36 to 40. (9)

Shri Bimal Ghose: I beg to move:
Page 2, line 37,—

omit "item (3)". (10)

This is a small amendment. I hope the Prime Minister will accept it.

Shri Aurobindo Ghosal: My amendment relates to Part III of the First Schedule. Part III of the First Schedule relates to item (3) of paragraph 2 of the Second Schedule. That is in relation to the agreement regarding Berubari Union No. 12. My point is whether by this agreement it will be

feasible at all to partition Berubari half and half. In the Second Schedule, it has been stated that there will be three steps for effecting this division. Firstly, Berubari will be partitioned equally, half and half. Secondly, the partition line will be horizontal, starting from the north-east corner of Debiganj thana. Thirdly, the partition should be made in such a manner that the Cooch Behar enclaves between Pachagar thana and Berubari Union will remain, or is included, in India.

If you will look at the map of Berubari, you will find that the first two terms are contradictory.

Mr. Speaker: There is too much noise in the House. The proceedings cannot be recorded by the official reporters. The speech is not heard. Nobody is able to hear. If some hon. Members do not want to participate in the debate, let them keep quiet.

Shri Aurobindo Ghosal: If a line is drawn horizontally from the north-east corner of Debiganj thana to the Berubari police station, Berubari can never be divided half and half. If Berubari is to be divided half and half the line cannot run horizontally. It has been admitted by the Supreme Court also.

It has been announced in the newspapers of today that there is already trouble regarding interpretation. The seed of dispute is already sown there. From the Indian side, the interpretation is that the horizontal line means parallel line to the axis. But according to the Pakistan interpretation, horizontal line means that at first the geometrical axis is to be determined for the Berubari Union and then a perpendicular line has to be drawn which will be called the horizontal line of Berubari. If this interpretation is to be followed, then, about three-fourths of Berubari will go to Pakistan. If the subject-matter of any agreement is in dispute, and even in the beginning, if such a streak of dispute about the division is there, I do not think that this agreement will serve any purpose. No real purpose

will be served by this agreement which is meant to achieve peace and friendship with Pakistan.

I want a clarification from the hon. Prime Minister as to whether, according to the agreement which has been concluded, half of Berubari could be divided—that is, whether Berubari could be divided exactly half and half horizontally.

Next, while voting for this measure I would like to appeal to the House that they should appreciate the sentiments of West Bengal. The workers of Calcutta have stopped work, and the whole area is like a dead State or city. All work has stopped. Naturally, I should like to bring to the attention of the House this aspect and I would like the House to appreciate the sentiments and views of the people of West Bengal in this matter for successful strike.

17 hrs.

Mr. Speaker: Has the Prime Minister anything to say? The hon. Member says that as demarcated now, it is physically impossible to divide Berubari into two halves. Pakistan people are already saying it must be a vertical line with the centre at Berubari and so on. He argues, if it is impracticable, what is the use?

Shri Jawaharlal Nehru: This was carefully considered. When one says it should be horizontal, it does not mean a mathematically horizontal line absolutely; it merely means that it should not be vertical, because if it was vertical, that part of Berubari which comes to us is cut off and there is some difficulty. Therefore, it will have to be carefully considered. The line may not be exactly horizontal, but broadly speaking horizontal. It may be a curved line or straight line.

Mr. Speaker: I will now put Shri Aurobindo Ghosal's amendment No. 9 to the House.

Amendment No. 9 was put and negatived.

Mr. Speaker: I will now put Shri Bimal Ghose's amendment No. 10 to the House.

*Amendment No. 10 was put and
negatived.*

Mr. Speaker: The question is:

"That the First Schedule stand
part of the Bill."

The Lok Sabha divided.

Shri Abdul Latif (Bijnor): I wanted
to vote for 'Ayes'.

Shri Dasaratha Deb: I wanted to
vote for 'Noes'.

Mr. Speaker: The result of the
division is:

Ayes: 330.

Noes: 46

AYES

Division No. 10]

[17.2 hrs.

Abdul Latif, Shri	Chandra Shankar, Shri	Jedhe, Shri G. K.
Abdul Salam, Shri	Chaturvedi, Shri	Jhunjunwala, Shri
Abdur Rahman, Maulana	Chavan, Shri D. R.	Jinachandran, Shri
Achal Singh, Seth	Chavda, Shri	Jogendra Sen, Shri
Achar, Shri	Chettiar, Shri Ramanathan	Jogendra Singh, Sardar
Achint Ram, Lala	Choudhry, Shri C. L.	Joshi, Shri A. C.
Agarwal, Shri Manakbbhai	Chuni Lal, Shri	Joshi, Shri Liladhar
Ajit Singh, Shri	Daljit Singh, Shri	Joshi, Shrimati Subhadra
Alva, Shri Joachim	Damani, Shri	Jyotishi, Pandit J. P.
Ambalam, Shri Subbiah	Das, Dr. M. M.	Kalika Singh, Shri
Aney, Dr. M. S.	Das, Shri N. T.	Kamble, Dr.
Arumugam, Shri R. S.	Dasappa, Shri	Kanungo, Shri
Arumugham, Shri S. R.	Datar, Shri	Karmarkar, Shri
Ashanna, Shri	Daulta, Shri P. S.	Kasiram, Shri Vaddipalli
Asthana, Shri Lila Dhar	Dessai, Shri Morarji	Kedaria, Shri C. M.
Atchamamba, Dr.	Deshmukh, Shri K. G.	Kesar Kumari, Shrimati
Ayyakannu, Shri	Deshmukh, Dr. P. S.	Keshava, Shri
Bebunath Singh, Shri	Dindod, Shri	Keskar, Dr.
Badan Singh, Ch.	Dube, Shri Mulchand	Khadiwala, Shri
Behadur Singh, Shri	Dublish, Shri	Khan, Shri Osman Ali
Bajaj, Shri Kamalnayan	Dwivedi, Shri M. L.	Khan, Shri Sadath Ali
Bakliwal, Shri	Eacharan, Shri V.	Khan, Shri Shah Nawaz
Balakrishnan, Shri	Elayaperumal, Shri	Khimji, Shri
Balmiki, Shri	Gackwad, Shri Fatesinhrao	Khuda Bukhab, Shri M.
Banerji, Shri P. B.	Ganapathy, Shri	Khwaja, Shri Jamal
Banerji, Dr. R.	Gandhi, Shri M. M.	Killedar, Shri R. S.
Bangshi Thakur, Shri	Ganga Devi, Shrimati	Kistaiya, Shri
Barman, Shri	Ganpati Ram, Shri	Koratkar, Shri
Barrow, Shri	Gautam, Shri C. D.	Kottukapally, Shri
Barupal, Shri P. L.	Ghosh, Shri Atulya	Krishna, Shri M. R.
Basappa, Shri	Ghosh, Shri M. K.	Krishna Chandra, Shri
Basumatari, Shri	Ghosh, Shri N. R.	Krishnamachari, Shri T. T.
Bhagat, Shri B. R.	Godsora, Shri S. C.	Krishnappa, Shri M. V.
Bhagavati, Shri	Gohokar, Dr.	Kureel, Shri B. N.
Bhakt Darshan, Shri	Gounder, Shri Doraiswami	Lachhi Ram, Shri
Bhatkar, Shri	Govind Das, Dr.	Lahiri, Shri
Bhattacharya, Shri C. K.	Guha, Shri A. C.	Lasakar, Shri N. C.
Bhawani Prasad, Shri	Gupta, Shri C. L.	Laxmi Bai, Shrimati
Bholi Sardar, Shri	Gupta, Shri Ram Krishan	Mafida Ahmed, Shrimati
Bidari, Shri	Harvani, Shri Anwar	Majti, Shri N. B.
Birbal Singh, Shri	Hansda, Shri Subodh	Majhi, Shri R. C.
Birendra Bahadur Singhji, Shri	Hathi, Shri	Majithia, Sardar
Bist, Shri J. B. S.	Hazarika, Shri J. N.	Malaviya, Shri K. D.
Biswas, Shri Bholanath	Heda, Shri	Malhotra, Shri Inder J.
Boroosah, Shri P. C.	Hem Raj, Shri	Malliah, Shri U. S.
Brahm Prakash, Ch.	Hukam Singh, Sardar	Mallik, Shri D. C.
Brajeshwar Prasad, Shri	Iqbal Singh, Sardar	Malvia, Shri K. B.
Chanda, Shri Anil K.	Jagjivan Ram, Shri	Malviya, Shri Motilal
Chandak, Shri	Jain, Shri A. P.	Manan, Shri
	Jain, Shri M. C.	

Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Manjula Devi, Shrimati
Masuriya Din, Shri
Mathur, Shri Harish Chandra
Matin, Qazi
Mehdi, Shri S. A.
Mehta, Shri J. R.
Mehta, Shrimati Krishna
Melkote, Dr.
Minimata, Shrimati
Mishra, Shri Bibbuti
Mishra, Shri L. N.
Mishra, Shri M. P.
Mishra, Shri R. R.
Mishra, Shri S. N.
Misra, Shri B. D.
Misra, Shri R. D.
Mohammad Akbar, Shaiikh
Mohideen, Shri Gulam
Mohiuddin, Shri
Morarka, Shri
Muniswamy, Shri N. R.
Murthy, Shri B. S.
Murty, Shri M. S.
Musafir, Giani G. S.
Muthukrishnan, Shri
Nadar, Shri Thanulingam
Naidu, Shri Govindarajulu
Nair, Shri C. K.
Nair, Shri Kuttikrishnan
Naldurgkar, Shri
Nanda, Shri
Nanjappa, Shri
Naraindin, Shri
Narasimhan, Shri
Narayanasmay, Shri R.
Nariandera Kumar, Shri
Naskar, Shri P. S.
Nathwani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Negi, Shri Nek Ram
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Onkar Lal, Shri
Padam Dev, Shri
Pahadia, Shri
Palaniyandy, Shri
Palchoudhuri, Shrimati Ila
Pande, Shri C. D.
Pandey, Shri K. N.
Pangarkar, Shri
Panna Lal, Shri
Parmar, Shri Deen Bandhu
Patel, Sushri Maniben
Patel, Shri N. N.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri R. D.

Patil, Shri S. K.
Patil, Shri T. S.
Pattabhi Raman, Shri C. R.
Pillai, Shri Thanu
Prabhakar, Shri Naval
Radha Mohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghunath Singh, Shri
Raghuramaiah, Shri
Rahman, Shri M. H.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Ram Saran, Shri
Ram Shankar Lal, Shri
Ram Subhag Singh, Dr.
Ramakrishnan, Shri P. R.
Ramananda Tirtha, Swami
Ramaswamy, Shri S. V.
Ramaswamy, Shri K. S.
Ramaswamy, Shri P.
Ramaul, Shri S. N.
Ramdhani Das, Shri
Rampure, Shri M.
Ranbir Singh, Ch.
Rane, Shri
Rangarao, Shri
Rao, Shri Hanmanth
Rao, Shri Jagannatha
Rao, Shri Rajagopala
Rao, Shri Thirumala
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri K. C.
Reddy, Shri Narapa
Reddy, Shri R. L.
Reddy, Shri Ramakrishna
Reddy, Shri Rami
Reddy, Shri Viswanatha
Roy, Shri Bishwanath
Rungtaung Suissa, Shri
Rup Narain, Shri
Sadhu Ram, Shri
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Samantsinhar, Dr.
Sambandam, Shri
Sankarapandian, Shri
Sarbadri, Shri Ajit Singh
Satish Chandra, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Sciordia, Shrimati Vijaya Raj
Shah, Shrimati Jayaben
Shah, Shri Manabendra
Shakuntala Devi, Shrimati
Shankar Deo, Shri
Shankaraiya, Shri
Sharma, Shri D. C.

Sharma, Pandit K. C.
Sharma, Shri R. C.
Shastri, Pandit H.
Shastri, Shri Lal Bahadur
Shastri, Swami Ramanand
Shivananjappa, Shri
Shobha Ram, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddanajappa, Shri
Siddiah, Shri
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Sinha, Shri Anirudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhar
Sinha, Shri Satya Narayan
Sinha, Shrimati Tarkeshwari
Sinhassan Singh, Shri
Siva, Dr. Gangadhara
Siva Raj, Shri
Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.
Tahir, Shri Mohammed
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thomas, Shri A. M.
Tiware, Pandit Babu Lal
Tiware, Shri R. S.
Tiware, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyay, Pandit Munishwar Dutt
Upadhyaya, Shri Shiva Datt
Varma, Shri B. B.
Varma, Shri M. L.
Varma, Shri Ramisongh Bhai
Vedakumari, Kumari M.
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wadiwa, Shri
Wasnik, Shri Balkrishna
Wodeyar, Shri

NOES

Amjad Ali, Shri
Assar, Shri

Banerjee, Shri Pramathanath
Banerjee, Shri S. M.

Bhanja Deo Shri
Chakravarty, Shrimati Renu

Chaudhuri, Shri Tridib Kumar
Das Gupta, Shri B.
Dasaratha Deb, Shri
Deo, Shri P. K.
Drobar, Shri
Elias, Shri Muhammed
Ghosal, Shri Aurobindo
Ghose, Shri Bimal
Ghose, Shri Subiman
Gopalan, Shri A. K.
Goray, Shri
Gupta, Shri Indrajit
Gupta, Shri Sadhan
Jadhav, Shri Yadav Narayan

Kar, Shri Prabhat
Khushwaqt Rai, Shri
Kodiyani, Shri
Kumbhar, Shri
Kunhan, Shri
Mahagaonkar, Shri
Mahanty, Shri
Mehta, Shri Asoka
Mohan Swarup, Shri
Mukherjee, Shri H. N.
Mullick, Shri B. C.
Panigrahi, Shri Chintamani
Parmar, Shri K. U.

Parvathi Krishnan, Shrimati
Patil, Shri U. L.
Pillai, Shri Anthony
Punnoose, Shri
Rajendra Singh, Shri
Ranga, Shri
Shastri, Shri Prakash Vir
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Vajpayee, Shri
Verma, Shri Ramji
Warior, Shri

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

The First Schedule was added to the the Bill.

Mr. Speaker: The question is:

"That the Second Schedule stand part of the Bill."

The Lok Sabha divided.

Shri Vaddapalli Kasiram: My vote has not been recorded.

Shri P. R. Ramakrishnan: My vote has also not been recorded.

Mr. Speaker: I have noted them. Now the result of the division is:

Ayes: 329

Noes: 46

AYES

Division No. 11]

Abdual Latif, Shri
Abdul Salam, Shri
Abdur Rahaman, Maulana
Achal Singh, Seth
Achar, Shri
Achint Ram, Lala
Agarwal, Shri Manakbhai
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Aney, Dr. M. S.
Arumugam, Shri R. S.
Arumugham, Shri S. R.
Ashanna, Shri
Asthana, Shri Lila Dhar
Atchamamba, Dr.
Ayyakannu, Shri
Babunath Singh, Shri
Badan Singh, Ch.
Bahadur Singh, Shri
Bajaj, Shri Kamalnayan
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barrow, Shri

Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhawani Prasad, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholanath
Borooah, Shri P. C.
Brahm Prakash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chavan, Shri D. R.
Chavda, Shri
Chettiar, Shri Ramanathan
Choudhry, Shri C. L.
Chuni Lal, Shri
Daljit Singh, Shri
Damani, Shri
Das, Dr. M. M.

Das, Shri N. T.
Dasappa, Shri
Datar, Shri
Daulta, Shri P. S.
Dessai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Dindod, Shri
Dube, Shri Mulchand
Dubliish, Shri
Dwivedi, Shri M. L.
Eacharan, Shri V.
Elayaperumal, Shri
Gackwad, Shri Fatesinhrao
Ganapathy, Shri
Gandhi, Shri M. M.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghoah, Shri Atulya
Ghosh, Shri M. K.
Ghosh, Shri N. R.
Godsora, Shri S. C.
Gobokar, Dr.
Gounder, Shri Doraiswami
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri C. L.
Gupta, Shri Ram Krishan
Harvani, Shri Anwar

[17.5 hrs.]

Hanada, Shri Subodh
 Hathi, Shri
 Hazarika, Shri J. N.
 Heda, Shri
 Hem Raj, Shri
 Hukam Singh, Sardar
 Iqbal Singh, Sardar
 Jagjivan Ram, Shri
 Jain, Shri A. P.
 Jain, Shri M. C.
 Jedhe, Shri G. K.
 Jhunjhunwala, Shri
 Jinachandran, Shri
 Jogendra Sen, Shri
 Jogendra Singh, Sardar
 Joshi, Shri A. C.
 Joshi, Shri Liladhar
 Joshi, Shrimati Subhadra
 Jyotishi, Pandit J. P.
 Kalika Singh, Shri
 Kamble, Dr.
 Kanungo, Shri
 Karmarkar, Shri
 Kedaria, Shri C. M.
 Keser Kumari, Shrimati
 Keshava, Shri
 Keskar, Dr.
 Khadiwala, Shri
 Khan, Shri Osman Ali
 Khan, Shri Sadath Ali
 Khan, Shri Shah Nawaz
 Khimji, Shri
 Khuda Bukhsh, Shri M.
 Khwaja, Shri Jamal
 Kiledar, Shri R. S.
 Kistaiya, Shri
 Koratkar, Shri
 Kottukapally, Shri
 Krishna, Shri M. R.
 Krishna Chandra, Shri
 Krishnamachari, Shri T. T.
 Krishnappa, Shri M. V.
 Kureel, Shri B. N.
 Lachhi Ram, Shri
 Lahiri, Shri
 Laskar, Shri N. C.
 Laxmi Bai, Shrimati
 Mafida Ahmed, Shrimati
 Maiti, Shri N. B.
 Majhi, Shri R. C.
 Majithia, Sardar
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Malliah, Shri U. S.
 Mallik, Shri D. C.
 Malviya, Shri K. B.
 Malviya, Shri Motilal
 Manan, Shri
 Mandal, Shri J.
 Mandal, Dr. Pashupati
 Maniyangadan, Shri
 Manjula Devi, Shrimati
 Masuriya Din, Shri

Mathur, Shri Harish Chandra
 Mehdi, Shri S. A.
 Mehta, Shri J. R.
 Mehta, Shrimati Krishna
 Melkote, Dr.
 Minimata, Shrimati
 Mishra, Shri Bibhuti
 Mishra, Shri L. N.
 Mishra, Shri M. P.
 Mishra, Shri R. R.
 Mishra, Shri S. N.
 Misra, Shri B. D.
 Misra, Shri R. D.
 Mohammad Akbar, Shaikh
 Mohideen, Shri Gulam
 Mohiuddin, Shri
 Morarka, Shri
 Muniswamy, Shri N. R.
 Murthy, Shri B. S.
 Murty, Shri M. S.
 Musafir, Giani G. S.
 Muthukrishnan, Shri
 Nader, Shri Thanulingam
 Naidu, Shri Govindarajulu
 Naik, Shri C. K.
 Nair, Shri Kuttikrishnan
 Naldurgkar, Shri
 Nanda, Shri
 Nanjappa, Shri
 Naraindin, Shri
 Narasimhan, Shri
 Narayanasamy, Shri R.
 Nariandera Kumar, Shri
 Naskar, Shri P. S.
 Nathwani, Shri
 Nayak, Shri Mohan
 Nayar, Dr. Sushila
 Negi, Shri Nek Ram
 Nehru, Shri Jawaharlal
 Nehru, Shrimati Uma
 Onkar Lal, Shri
 Padam Dev, Shri
 Pabadia, Shri
 Palaniyandy, Shri
 Palchoudhuri, Shrimati Ila
 Pandey, Shri C. D.
 Pandey, Shri K. N.
 Pangarkar, Shri
 Panna Lal, Shri
 Parmar, Shri Deen Bandhu
 Patel, Shri Maniben
 Patel, Shri N. N.
 Patel, Shri P. R.
 Patel, Shri Rajeshwar
 Patil, Shri R.D.
 Patil, Shri S. K.
 Patil, Shri T. S.
 Pattabhi Raman, Shri C. R.
 Pillai, Shri Thanu
 Prabhakar, Shri Naval
 Radha Mohan Singh, Shri
 Radha Raman, Shri
 Raghubir Sahai, Shri

Raghubat Singh, Shri
 Raghuramiah, Shri
 Rahman, Shri M. H.
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Ram Saran, Shri
 Ram Shankar Lal, Shri
 Ram Subhag Singh, Dr.
 Ramakrishnan, Shri P. R.
 Ramananda Tirtha, Swami
 Ramaswamy, Shri S. V.
 Ramaswamy, Shri K. S.
 Ramaswamy, Shri P.
 Ramaul, Shri S. N.
 Ramdhani Das, Shri
 Rampure, Shri M.
 Ranbir Singh, Ch.
 Rane, Shri
 Rangarao, Shri
 Rao, Shri Hanmanth
 Rao, Shri Jagannatha
 Rao, Shri Rajagopala
 Rao, Shri Thirumala
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddy, Shri K. C.
 Reddy, Shri Narapa
 Reddy, Shri R. L.
 Reddy, Shri Ramakrishna
 Reddy, Shri Rami
 Reddy, Shri Viswanatha
 Roy, Shri Bishwanath
 Rungtong Suisa, Shri
 Rup Narain, Shri
 Sadhu Ram, Shri
 Sahu, Shri Bhagabat
 Sahu, Shri Rameshwar
 Saigal, Sardar A.S.
 Samanta, Shri S. C.
 Samantisingh, Dr.
 Sambandam, Shri
 Sankarapandian, Shri
 Sarhadi, Shri Ajit Singh
 Satish Chandra, Shri
 Satyabhama Devi, Shrimati
 Satyanarayana, Shri
 Scindia, Shrimati Vijaya Raj
 Shah, Shrimati Jayaben
 Shah, Shri Manabendra
 Shakuntala Devi, Shrimati
 Shankar Deo, Shri
 Shankaraiya, Shri
 Sharma, Shri D. C.
 Sharma, Pandit K. C.
 Sharma, Shri R. C.
 Shastri, Pandit H.
 Shastri, Shri Lal Bahadur
 Shastri, Swami Ramanand
 Shivananjappa, Shri
 Shobha Ram, Shri
 Shree Narayan Das, Shri
 Shukla, Shri Vidya Charan
 Siddananjappa, Shri

Siddiah, Shri
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Sinha, Shri Anirudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhara
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Siva Raj, Shri

Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.
Tahir, Shri Mohammed
Tariq, Shri A. M.
Tewari, Shri Dwarikanath
Thomas, Shri A. M.
Tiwari, Pandit Babu Lal

Tiwari, Shri R. S.
Tiwari, Pandit D. N.
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umrao Singh, Shri
Upadhyay, Pandit Munishwar Dut
Upadhyaye, Shri Shiva Datt
Varma, Shri B. B.
Varma, Shri M. L.
Varma, Shri Ramsingh Bhai
Vedakumari, Kumari M.
Vyas, Shri R. C.
Vyas, Shri Radhelal
Wadiwa, Shri
Wasnik, Shri Balkrishna
Wodeyar, Shri

NOES

Amjad Ali, Shri
Assar, Shri
Banerjee, Shri Pramathanath
Banerjee, Shri S. M.
Bhanja Deo, Shri
Chakravarty, Shrimati Renu
Chaudhuri, Shri Tridib Kumar
Das Gupta, Shri B.
Dasaratha Deb, Shri
Deo, Shri P. K.
Drohar, Shri
Elias, Shri Muhammed
Ghosal, Shri Aurobindo
Ghose, Shri Bimal
Ghose, Shri Subiman
Gopalan, Shri A. K.

Goray, Shri
Gupta, Shri Indrajit
Gupta, Shri Sadhan
Jadhav, Shri Yadav Narayan
Kar, Shri Prabhat
Khushwaqt Rai, Shri
Kodiyan, Shri
Kumbhar, Shri
Kunhan, Shri
Mahagonkar, Shri
Mahanty, Shri
Mehta, Shri Asoka
Mohan Swarup, Shri
Mukherjee, Shri H. N.
Mullick, Shri B. C.

Panigrahi, Shri Chintamani
Parmar, Shri K. U.
Parvathi Krishnan, Shrimati
Patil, Shri U. L.
Pillai, Shri Anthony
Punnoose, Shri
Rajendra Singh, Shri
Ram Garib, Shri
Ranga, Shri
Shastri, Shri Prakash Vir
Supakar, Shri
Tangamani, Shri
Thakore, Shri M. B.
Verma, Shri Ramji
Warior, Shri

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

The Second Schedule was added to the Bill.

Mr. Speaker: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Tyagi: A vote must be taken on this also.

Dr. Govind Das (Jabalpur): There should be a division.

Shri Tyagi: Two-thirds majority is needed for this also.

Mr. Speaker: It is not necessary. The hon. Prime Minister.

Shri Jawaharlal Nehru: Sir, we have discussed this amending Bill at considerable length bringing out all its aspects. I do not think I can, or need, add anything more to what I have said. Sir, I beg to move:

"That the Bill be passed."

Mr. Speaker: Let the lobbies be cleared.

Shri Sadhan Gupta rose—

Mr. Speaker: I am not going to allow any discussion during the third

reading. We have devoted sufficient time already. There is a special understanding about it.

Hon. Members will get ready to vote. I will put the motion to the vote of the House.

The question is:

"That the Bill be passed."

The Lok Sabha divided:

Dr. Syed Mahmud: I vote for 'Ayes'.

Shri Chintamani Panigrahi: He has voted. The light is on. He says he has not voted.

Dr. Ram Subhag Singh: He has voted wrongly for Abstention.

Mr. Speaker: He says he has voted wrongly. Plus one for 'Ayes'.

Shri M. B. Thakore: I vote for 'Noes'.

Mr. Speaker: Plus one for 'Noes'.

The result of the division is as follows:

Ayes: 328

Noes: 47

AYES

Division No. 12]

[17.11 hrs.

Abdual Latif, Shri
Abdul Salam, Shri
Abdur Rahman, Maulana
Achal Singh, Seth
Achar, Shri
Achint Ram, Lala
Agarwal, Shri Manakbhai
Ajit Singh, Shri
Alva, Shri Joachim
Ambalam, Shri Subbiah
Aney Dr. M. S.
Arumugam, Shri R. S.
Arumugham, Shri S. R.
Ashanna, Shri
Asthana, Shri Lila Dhar
Atchamamba, Dr.
Ayyakannu, Shri
Babunath Singh, Shri
Badan Singh, Ch.
Bahadur Singh, Shri
Bejai, Shri Kamalnayan
Bakliwal, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Bangshi Thakur, Shri
Barman, Shri
Barrow, Shri
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhagavati, Shri
Bhakt Darshan, Shri
Bhatkar, Shri
Bhattacharya, Shri C. K.
Bhawani Prasad, Shri
Bholi Sardar, Shri
Bidari, Shri
Birbal Singh, Shri

Birendra Bahadur Singhji, Shri
Bist, Shri J. B. S.
Biswas, Shri Bholanath
Boroach, Shri P. C.
Brahm Prakash, Ch.
Brajeshwar Prasad, Shri
Chanda, Shri Anil K.
Chandak, Shri
Chandra Shankar, Shri
Chaturvedi, Shri
Chavan, Shri D. R.
Chavda, Shri
Chettiar, Shri Ramanathan
Choudhry, Shri C. L.
Chuni Lal, Shri
Daljit Singh, Shri
Damani, Shri
Das, Dr. M. M.
Das, Shri N. T.
Dasappa, Shri
Datar, Shri
Daulta, Shri P. S.
Desai, Shri Morarji
Deshmukh, Shri K. G.
Deshmukh, Dr. P. S.
Dindod, Shri
Dube, Shri Mulchand
Dubliish, Shri
Dwivedi, Shri M. L.
Eacharan, Shri V.
Blaysperumal, Shri
Gackwad, Shri Fatesinhrao
Ganapathy, Shri
Gandhi, Shri M. M.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghosh, Shri Atulya
Ghosh, Shri M. K.
Ghosh, Shri N. R.
Godsora, Shri S. C.
Gohokar, Dr.

Gounder, Shri Doraiswami
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri C. L.
Gupta, Shri Ram Krishan
Harvani, Shri Ansar
Hanada, Shri Subodh
Hathi, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Iqbal Singh, Sardar
Jagjivan Ram, Shri
Jain, Shri A. P.
Jain, Shri M. C.
Jedhe, Shri G. K.
Jhunjhunwala, Shri
Jinachandran, Shri
Jogendra Sen, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Joshi, Shri Liladhar
Joshi, Shrimati Subhadra
Jyotishi, Pandit J. P.
Kalika Singh, Shri
Kamble, Dr.
Kanungo, Shri
Karmarkar, Shri
Kagiram, Shri Vaddipalli
Kedarai, Shri C. M.
Kesar Kumari, Shrimati
Keshava, Shri
Kesar, Dr.
Khadiwala, Shri
Khan, Shri Osman Ali
Khan, Shri Sadath Ali
Khan, Shri Shahnawaz
Khimji, Shri
Khuda Bukhab, Shri M.
Khawaja, Shri Jamal
Kiledar, Shri R. S.

Kistaiya, Shri
Koratkar, Shri
Kottukapally, Shri
Krishna, Shri M. R.
Krishna Chandra, Shri
Krishnamachari, Shri T. T.
Krishnappa, Shri M. V.
Kureel, Shri B. N.
Lachhi Ram, Shri
Lahiri, Shri
Laskar, Shri N. C.
Laxmi Bai, Shrimati
Mafida Ahmed, Shrimati
Majhi, Shri R. C.
Majithia, Sardar
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Mallik, Shri D. C.
Malviya, Shri K. B.
Malviya, Shri Motilal
Mansan, Shri
Mandal, Shri J.
Mandal, Dr. Pashupati
Maniyangadan, Shri
Manjula Devi, Shrimati
Masuriya Din, Shri
Mathur, Shri Harish Chandra
Mehdi, Shri S. A.
Mehta, Shri J. R.
Mehta, Shrimati Krishna
Melkote, Dr.
Minimata, Shrimati
Mishra, Shri Bibhuti
Mishra, Shri L. N.
Mishra, Shri M. P.
Mishra, Shri R. R.
Mishra, Shri S. N.
Miera, Shri B. D.
Miera, Shri R. D.
Mohammad Akbar, Shaikh
Mohideen, Shri Gulam
Mohiuddin, Shri
Morarka, Shri
Muniswamy, Shri N. R.
Murthy, Shri B. S.
Murty, Shri M. S.
Musafir, Giani G. S.
Muthukrishnan, Shri
Nadar, Shri Thanulingam
Naidu, Shri Govindarajulu
Nair, Shri C. K.
Nair Shri Kuttikrishnan
Naidurgkar, Shri
Nanda, Shri
Nanjappa, Shri
Narasindin, Shri
Narasimhan, Shri
Narayanassamy, Shri R.

Nanjandera Kumar, Shri
Naskar, Shri P. S.
Nathwani, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Negi, Shri Nek Ram
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Onkar Lal, Shri
Padam Dev, Shri
Pahadia, Shri
Palaniyandy, Shri
Palchoudhuri, Shrimati Ila
Pande, Shri C. D.
Pandey, Shri K. N.
Pangarkar, Shri
Panna Lal, Shri
Parmar, Shri Deen Bandhu
Patel, Sushri Maniben
Patel, Shri N. N.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri S. K.
Patil, Shri T. S.
Pattabhi Raman, Shri C. R.
Pillai, Shri Thanu
Prabhakar, Shri Naval
Radha Mohan Singh, Shri
Radha Raman, Shri
Raghubir Sahai, Shri
Raghunath Singh, Shri
Raghuramaiah, Shri
Rahman, Shri M. H.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Ram Saran Shri
Ram Shankar Lal, Shri
Ram Subhag Singh, Dr.
Ramakrishnan, Shri P. R.
Ramananda Tirtha, Swami
Ramaswamy, Shri S. V.
Ramaswamy, Shri K. S.
Ramaswamy, Shri P.
Ramaul, Shri S. N.
Ramdhani Das, Shri
Rampure, Shri M.
Ranbir Singh Ch.
Rane, Shri
Rangarao, Shri
Rao, Shri Hanmanth
Rao, Shri Jaganatha
Rao, Shri Rajagopala
Rao, Shri Thirumala
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddy, Shri K. C.
Reddy, Shri Narapa
Reddy, Shri R. L.
Reddy, Shri Ramakrishna
Reddy, Shri Rami
Reddy, Shri Viswanatha
Roy, Shri Bishwanath

Rungsung Suisa, Shri
Rup Narain, Shri
Sadhu Ram, Shri
Sahu, Shri Bhagabat
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Samanta, Shri S. C.
Samantsinhar, Dr.
Sambandam, Shri
Sankarapandian, Shri
Sarbadi, Shri Ajit Singh
Satish Chandra, Shri
Satyabhama Devi, Shrimati
Satyanarayana, Shri
Scindia, Shrimati Vijaya Rajee
Shah, Shrimati Jayaben
Shah, Shri Manabendra
Shakuntala Devi, Shrimati
Shankar Deo, Shri
Shankaraiya, Shri
Sharma, Shri D. C.
Sharma, Pandit K. C.
Sharma, Shri R. C.
Shastri, Pandit H.
Shastri, Shri Lal Bahadur
Shastri, Swami Ramanand
Shivananjappa, Shri
Shobha Ram, Shri
Shree Narayan Das, Shri
Shukla, Shri Vidya Charan
Siddananjappa, Shri
Siddiah, Shri
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri K. N.
Singh, Shri M. N.
Sinha, Shri Anirudh
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Sarangdhara
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Siva Raj, Shri
Snatak, Shri Nardeo
Somani, Shri
Sonavane, Shri
Subbarayan, Dr. P.
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Sumat Prasad, Shri
Sunder Lal, Shri
Surya Prasad, Shri
Swami, Shri V. N.
Swaran Singh, Sardar
Syed Mahmud, Dr.

6609 *Acquired* **AGRAHAYANA 29, 1882 (SAKA)** *Central Institute 6610*
Territories (Merger) Bill *of Fisheries Education*
and Constitution (Ninth
Amendment) Bill

Tahir, Shri Mohammed
 Tariq, Shri A. M.
 Tewari, Shri Dwarikanath
 Thomas, Shri A. M.
 Tiwari, Pandit Babu Lal
 Tiwari, Shri R. S.
 Tiwari, Pandit D. N.
 Tula Ram, Shri

Tyagi, Shri
 Uike, Shri
 Umrao Singh, Shri
 Upadhyay, Pandit Munishwar Dutt
 Upadhyaya, Shri Shiva Datt
 Varma, Shri B. B.
 Varma, Shri M. L.

Varma, Shri Ramsingh Bhai
 Vedakumari, Kumari M.
 Vyas, Shri R. C.
 Vyas, Shri Radhelal
 Wadiwa, Shri
 Wasnik, Shri Balkrishna
 Wodeyar, Shri

NOES

Amjad Ali, Shri
 Assar, Shri
 Banerjee, Shri Pramathanath
 Banerjee, Shri S. M.
 Bhanja Deo, Shri
 Chakravartty, Shrimati Renu
 Chaturvedi, Shri
 Das Gupta, Shri B.
 Dasaratha Deb, Shri
 Deo, Shri P.K.
 Drohar, Shri
 Elias, Shri Muhammed
 Ghosal, Shri Aurobindo
 Ghose, Shri Bimal
 Ghose, Shri Subiman
 Gopalan, Shri A. K.

Goray, Shri
 Gupta, Shri Indrajit
 Gupta, Shri Sadhan
 Jadhav, Shri Yadav Narayan
 Kar, Shri Prabhat
 Khushwaqt Rai, Shri
 Kodiyan, Shri
 Kumbhar, Shri
 Kunhan, Shri
 Mahagaonkar, Shri
 Mahanty, Shri
 Mehta, Shri Asoka
 Mohan Swarup, Shri
 Mukherjee, Shri H. N.
 Mullick, Shri B. C.
 Panigrahi, Shri Chintamani

Parmar, Shri K. U.
 Parvathi Krishnan, Shrimati
 Patil, Shri U. L.
 Pillai, Shri Anthony
 Punnoose, Shri
 Rajendra Singh, Shri
 Ram Garib, Shri
 Ranga, Shri
 Shastri, Shri Prakash Vir
 Supakar, Shri
 Tangamani, Shri ¶
 Thakore, Shri M. B.
 Vajpayee, Shri
 Verma, Shri Ramji
 Warior, Shri

Mr. Speaker: The 'Ayes' have it, the 'Ayes' have it.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Mr. Speaker: The Constitution (Ninth Amendment) Bill, 1960 is passed.

We will now take up the Acquired Territories (Merger) Bill. May I put all the clauses to the vote of the House together?

Some Hon. Members: Yes.

Mr. Speaker: The question is:

"That clauses 2 to 11 stand part of the Bill."

The motion was adopted.

Clauses 2 to 11 were added to the Bill.

The First Schedule and the Second Schedule were added to the Bill.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

Shri Jawaharlal Nehru: I beg to move:

"That the Bill be passed."

Mr. Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

17-20 hrs.

*CENTRAL INSTITUTE OF FISHERIES EDUCATION

Mr. Speaker: The House will now take up the half-an-hour discussion on the Central Institute of Fisheries Education.

Shri Warior (Trichur): After a strenuous day, it is my painful duty to raise this subject for a half-an-hour discussion, but since we are at the fag end of this Session, I think this is the last opportunity which I may get to do so. The main point is about the report of the Committee

*Half-an-hour discussion.

[Shri Warior]

on Fisheries Education and the subsequent decision taken by Government, which, to my mind, has led to a measure of discrimination against the small State in the extreme south of this country.

17.21 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

This State had suffered from discrimination in so many other matters also in the past, but we thought that at least with this institution being established in Kerala, justice will be done to Kerala. In fact, there had been occasions when even Shri S. K. Patil had given almost an assurance that this institute at least will be located in Kerala, as, for instance, when he addressed the Economic Conference of the Kerala People held in Delhi, and also when he made certain other speeches. But, finally, unfortunately, we did not have it in Kerala. Now, a decision has been taken that the institute will be located in Bombay. There were two or three questions put in this House in the past, and we had got answers to all of them, and on the basis of all those answers, we had really some confidence that ultimately it would be established in Kerala and not in Bombay which is the only contestant in this respect.

There were three institutes mentioned by the committee, but when the committee was formed, and the terms of reference were given to the committee, the committee, after analysing the terms of reference and the procedure that they should adopt finally came to this conclusion, and they state at page 4 of their report:

"The Committee has been impressed by the fact that the Government's responsibilities under the development plans call for high level officials of considerable competence, and, therefore, reached the conclusion that first priority should be given to the establishment of an institute of higher training in fisheries."

Although there are three institutes envisaged in the recommendations of this committee, the primary and the most important one is the institute to train district fisheries officers. The others are ancillary, as the committee itself has said. Primary importance is attached only to this institute, and in their recommendation itself, the committee have said that it is of prime importance. I would not like to quote at length, but it has been mentioned in the report that the State Governments, especially those which have a coast-line of fisheries are actually taking some measures to get the personnel trained for actual operative work on fisheries, such as catching the fish, getting them into the land, curing them, processing them and so on. But the main emphasis which Government had placed, and the committee had also placed was on the fact that the training of the district fisheries officers should be immediately taken up, and the committee even went to the extent of recommending that if it were not possible to locate it immediately or to establish it immediately, at least as a temporary and provisional measure, an institute be started in Bombay.

The committee had taken great care in going round the whole of the coast-line and thus finding out the best possible place. The committee had gone to Bombay also. And this is what the committee had to say about Bombay:

"The Committee has also deeply gone into the possibility of locating the Institute in some suburb of Bombay. . .":

Danda, Versova, Worli and one or two other places were inspected by the committee, and they said:

"Of all the sites visited, only one at Versova deserves serious consideration".

That was the only place in respect of which the committee had some hesitation as to whether it will be ideal

or not. All other places were found by the Committee not suitable for this. As regards Versova, the Committee say in page 71 of their Report:

"Apart from its distance from the educational, research, processing and other industrial establishments in Bombay, the most glaring disadvantage of Versova as a possible choice for the location of the Institute is the inadequacy of its port. It is extremely unlikely that even after further development, the Versova port will be suitable for vessels with a draught exceeding 8 ft."—

a draught of 8 ft. is just a bit more than what an ordinary canoe requires, not a ship. That is what is meant by that. So that port cannot be developed for this fishing industry and hence this Institute cannot be located there. As regards Cochin, in the same Report, they say:

"In contrast"—

that is, in contrast to Bombay and other ports—

"Cochin not only shares with Bombay many of the special advantages that the latter has but is also a favourable place with regard to the availability of land and the berthing facilities right in the midst of a flourishing fishing and a fast expanding off-shore fishing and fishery industry. The proximity of the Indo-Norwegian project which has established repair on the slipway at Cochin is another feature in favour of this place."

The final conclusion the Committee arrive at is:

"Allowing for such disabilities that Cochin undoubtedly has, the Committee is convinced that on purely technical and practical considerations, the suitability of Cochin for the location of the Central Institute of Fisheries Education far exceeds that of Bombay"—

I underscore that—"far exceeds that of Bombay".—

"It accordingly recommends that the Institute be located at Cochin".

This is quite unambiguous. The suitability of Cochin far exceeds that of Bombay. That means, both places are not on par.

Now the final conclusions of the Committee are also to be recorded. There are three Institutes envisaged. One is the District Officers' Training Institute. All these are enumerated in the summary of recommendations. There is another Institute envisaged and it is called the Operatives Training Institute. This is contained only in four sentences in a small paragraph. The third one is about the training of junior fisheries officers which, they suggest, may be started in Kausalyaganga somewhere in Orissa or some other place.

Shri Punnoose (Ambalapuzha): Where is Kausalya and where is Ganga?

Shri Warior: I have mentioned this only for record. I will not quote anything more from the Report.

Now I come to the history of the question. On 6th April 1960, there was a Starred Question No. 1321.

Mr. Deputy-Speaker: He has already taken about 10 minutes. Now he is going to go into the history of it.

Shri Warior: It is only reading the answer which Shri M. V. Krishnappa and Shri S. K. Patil gave, without comments. In reply to that question, Shri M. V. Krishnappa was pleased to say:

"In the meantime, this Institute may be located on a temporary basis in Bombay where there are institutional facilities available."

This is according to the recommendation that the provisional or temporary Institute may be located in Bombay; it is not about the permanent one. In the same answer, he was pleased to say:

"We have not yet taken a decision because the Committee itself felt that till the new facilities are

[Shri Warior]

available at Cochin, we can start a temporary centre in Bombay".

A temporary centre, not a permanent centre—both words are different.

In reply to Starred Question 1921 dated August 31, 1960, when this question was raised, Shri S. K. Patil was pleased to say this when Shri Tyagi interjected:

"The Committee's recommendation was that although Bombay was the most ideal place suited for it."

".... they recommended Cochin on the assumption that in Bombay land would not be available in time."

If we picked up certain words from here and there in this report, you can find this also there. Then, finally Shri Patil himself was pleased to say:

"It is no use appointing a Committee of experts and getting their recommendations and then going on to a thing which is not recommended by them."

It is a very good thing that we have an expert committee. There was the FAO expert, the Norwegian expert, and the Ministry's Fisheries expert, Shri Panikkar was also there. Shri Patil has paid a compliment to them. Now, Sir, in the last question, on 1st December, 1960, we have the answer:

"The experts had said that Bombay is ideal, and equally Cochin also is ideal."

I went through this report four or five times and I do not know that they have said that both places are ideal anywhere.

Mr. Deputy-Speaker: Let us hear the hon. Minister now.

Shri Warior: We will hear him. He will clarify certain doubts. Then again he says that the report said that the ideal place is Bombay but

they were afraid that there would be no land available there and that is why they came to Cochin. That is what we get in the final answer. Now we understand that it has been decided that this will be in Bombay. The operative training institute will be set up in Cochin sometime afterwards. That is what has been said. But the immediate necessity is for the training institute. This institute is the preliminary thing which should be given priority. We hope still that the Food Ministry and Shri Patil will reconsider whatever decision has been taken. It is no question of prestige. Wherever it is, it is only in Mother India. Let Kerala have it because the institute will gain, Kerala will gain and the Food Ministry and Shri Patil also will gain.

Mr. Deputy-Speaker: The other Members can only put questions and not make speeches—one question each.

Shri Punnoose: May I know whether the hon. Minister agrees with me that the committee has recommended in very clear terms that the institution may be established in Cochin and it used the very words 'it is a very ideal place'? I would like to know how the hon. Minister misunderstood the thing and made a statement in the House that was likely to mislead the House. I should also like to know whether a place becomes ideal if that place has got a strong Minister to back it up and I would also like to know whether a place becomes unsuitable....

Mr. Deputy-Speaker: Let us hear him; then perhaps he may give his opinion.

Shri Punnoose: These doubts are raised in our minds. As it is, Sir, the State of Kerala cannot claim several natural advantages with regard to several industries; after all there are only one or two things and this is one of the very rare things that we can get. How is it that the Cabinet and the Ministry took a decision that this should be at Bombay when all

the recommendations were in Kerala's favour? I would like to know what the Ministry will do to clarify the position and to convince the people in Kerala that that State will still survive in spite of the fact that it has in the Cabinet only one or two weaklings who cannot pull their weight. May I know whether it is a fact that as reported in the vernacular papers.

Mr. Deputy-Speaker: He has been lecturing all through... (*Interruptions*).

Shri Punnoose: One minute and I will stop, Sir. Is it a fact that this decision was taken at the very top level and that even the Deputy Minister, my hon. friend, Shri Thomas never knew that a decision had been taken?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): I can take care of myself.

Shri Punnoose: He can take care of himself but he cannot take care of Kerala. That is the point.

Shri Chintamani Panigrahi (Puri): One of the institutes is going to be located at Kausalyagang in Orissa. May I know what is the provision that has been made for this institute and when the institute is going to be established?

Shri A. K. Gopalan (Kasergod): In answer to a question put by us Shri Krishnappa said that because there were no buildings available at Cochin this had to be taken to Bombay. I want to know whether when Shri Kamble went to Cochin some two weeks back the Chamber of Commerce, Ernakulam told him that they would provide the buildings?

Dr. Melkote (Raichur): Is it a fact that one of these institutes will be established in the Mysore State?

Shri Maniyangadan (Kottayam): It is very unfortunate that the Government has taken a decision to establish the institute at Bombay in spite of the report. I do not know whether it is now possible for the Govern-

ment to change its decision. But there is the operatives institute. The people of Kerala are very much anxious about this institute. I want a categorical answer from the hon. Minister whether this institute of operatives could be established in Cochin and whether it would be done as early as possible.

Shri V. Eacharan (Palghat): When the location of this institute was decided upon previously the facilities required for the establishment of the institute was not available and the Government of Kerala were not in a position to give the required facilities. May I know whether the present Government of Kerala has promised all assistance and help for the establishment of this institute at Cochin and whether the Government will consider the question of establishing at least one of these institutes at Cochin?

Shri Kuttikrishnan Nair (Kozhikode): What would be the financial commitment for establishing a centre at Cochin and what is the financial commitment which they are going to have for establishing the centre at Bombay?

Shri Kudiyan (Quilon—Reserved—Sch. Tribes): Will the hon. Minister be pleased to explain the special advantages in having this institute at Bombay in comparison to Cochin and which he thinks are not available at Cochin?

Mr. Deputy-Speaker: That is the only thing which he is going to do now. The hon. Minister.

The Minister of Food and Agriculture (Shri S. K. Patil): Mr. Deputy-Speaker, Sir, I am very glad that this question of the committee for fisheries education has been raised. I would like to explain as to why Government have taken this decision, and I am quite sure that the hon. Members will bear with me that there is neither injustice nor partiality in my mind. Even if the recommendation was not there and really Cochin or Kerala wanted something which the Government was in a position to give I would have very, very gladly done

[Shri S. K. Patil]

so at any time. Therefore, please banish from your mind that there was any partiality or injustice. I can explain in what state of mind I actually was and I shall convince you that the hon. Members who have raised this issue could also have taken the same decision under the circumstances in which I have been able to take it.

Therefore, no injustice at all has been done. The plan has been accepted by us and I am sure it will go through and there will be no difficulty at all. The hon. House will remember that on one occasion during the question time I did tell the House that the feeling both in Cochin and Bombay is so great, the qualifications both for Cochin and Bombay are so great for an institution that I myself thought that we must have something by which instead of one there will be two institutions. That decision I had taken in my mind before even the Ministry had time really to consider this question. Afterwards we came to the conclusion that although there may not be two similar institutions, there should be two institutions which will cost us almost the same amount of Rs. 80 lakhs to Rs. 1 crore. There is absolutely no difference between the two. The question is which is the place and where. That was the question. If we had really wanted one, they would naturally ask, "Why not have the institute here and the operative institute there?" I would then have to wait for many months together, before facilities are provided in Kerala to start the institute, because the educational institute and other facilities are immediately wanted and the Committee also have said the same thing and have recommended Bombay. Therefore, rather than waiting, I thought that if both the things are of the same value—and perhaps, I honestly think that, the operative institute is of greater importance and greater significance than the other institute—then, ultimately, when it develops, it will cost much more than the institute. Therefore, I thought

that I was doing no injustice to Kerala at all.

Some hon. Members have quoted the report. I shall, with your permission, give some extracts from the report. Hon. Members should realise that the report is also of a type that it is really very difficult to see what exactly the Committee has recommended. The words used are so complimentary to both Bombay and Cochin. After examining the advantages and disadvantages of locating the institute at Calcutta, Cuttack, Waltair, Kakinada, Madras, Porto Novo, Mandapam, Cochin, Kozhikode, Mangalore and Bombay, the Committee had examined in detail the advantages and disadvantages of Bombay and Cochin. A reading of the report makes it clear that both Bombay and Cochin were well balanced in their advantages though both had a few disadvantages also.

Cochin as well as Bombay are centres of considerable fishing activity. On page 71 of the report, the Committee observes:

"An examination of the relative merits of the various sites which the Committee has considered shows that, in view of the importance it attaches to a fishery atmosphere, well-developed fishing and fishery industries and adequate port facilities, the choice will have to be between Cochin and Bombay. The advantages specially in favour of Bombay are its per-eminent position in fishing industry in the field of mechanisation, its association with university centres, its recognised status in the fisheries co-operative movement and marketing and its geographical location."

The report goes on to list the disadvantages and observes on page 71 thus—I am putting the case fairly on both sides, as they have it—:

"The disadvantages are the congested nature of the city, the

extreme unlikelihood of a suitable site being available in the proximity of a well-established fishery area like the Sassoon Docks, the difficulty of finding berthing and other facilities for vessels of the institute, when even facilities now operating are so inadequate and the very high capital and recurring cost likely to be involved."

Listing the disadvantages in regard to Cochin, the Committee observes on page 69 of the report thus:

"Cochin is not an important educational centre, although there are two degree colleges at Ernakulam."

To every statement they make, there is also an opposite statement along with that. Though they say that Cochin is not an important educational centre, they proceed to say, "although there are two degree colleges at Ernakulam." Then they go on to say:

"Access to Cochin through feeder air routes is easy though train connections with a large part of the country, especially in the north, are far from convenient."

It will be seen that one of the main disadvantages in regard to Bombay was "the extreme unlikelihood of a suitable site being available." That was the main disadvantage. This difficulty has been got over by the Government of Maharashtra, making available three sites—one at Varsova, the other at Nariman Point and the third, the Queen's Barracks, free of cost.

Another important point brought out by the Committee is that Bombay is an important university centre whereas Cochin is not. The institute of science in Bombay has been engaged in marine biological researches for many years. Certain very well organised fisheries departments of the Maharashtra State Government, like the famous Taraporevala Aquarium, the research laboratories and the technical laboratory which specialises in the manufacture of shark liver oil, are also located in Bombay. Engi-

neering and workshop facilities at Bombay are better than anywhere else in the country. Its geographical position is also a distinct advantage. It is on the main international air routes and is connected with most parts of India by air and train services, a point which is against Cochin.

It is true that the Bombay harbour is congested but the Sassoon Docks which are used by the fishing boats are likely to be improved by the Port Trust and facilities for berthing of the fishing vessels would greatly improve. The committee has made a mention of the Port charges of various kinds being heavy at Bombay but on closer examination it has been shown that there is not much difference in this. The capital cost of setting up this institute at Bombay will not be prohibitive in view of the fact that the land which we required and which really forms a major part of the expenditure is offered free. The geographical location of Bombay has been another important factor in Government's conclusion that the institute should be located at Bombay. This institute is being financed by the United Nations Special Project Fund and is likely to attract students and distinguished visitors from abroad. The location of the institute at Bombay will make it more easily accessible.

The point has been raised that along with this, there will be other institutions. If it is decided ultimately that this institution should be in Bombay, then the other institution that has been suggested—the operative institute—will be at Cochin. The operative institute in my opinion is more important and is better suited for Cochin for those type of activities, which I will read out now. This Fisheries Operative Institute consists of the following categories: fishery engineers, marine engineers, engine drivers, naval architects, boat builders, fishing boat personnel, which would include skippers for large and medium vessels, master fishermen, mates, gear technicians, master mechanics and food processing technicians. These are the various things listed there.

ABOUT BOMBAY'S inability to provide a place, some quotation was given saying that Varsova was not suited. But the site given by the Maharashtra Government is really the best site—one at Varsova, the other at Nariman Point and the third at Queen's Barracks. The costliest site of Bombay has been given. I am not pleading for Bombay, because I would consider myself very small if I really pleaded the cause of this or that State. After all, both are Indian States. I take into cognizance these two facts which are very important and basic according to me. Both Maharashtra and Kerala are leading States in fisheries. So far as exports are concerned, Cochin has done very well. There are some institutions already in Cochin like the Norwegian Project and other things that have cost us crores of rupees. I am not suggesting any favour has been done to Cochin by locating them there; Cochin deserves them, because Cochin has developed fisheries. But Bombay has equally developed fisheries, because of this mechanisation that has gone on there on a large scale. Almost cent per cent of the boats have been mechanised and there are co-operatives of fisheries, working there. Along with that, there is the facility of this institute of science and the studies can start today. They have not to wait. Such a facility would take a very long time before it is got in Cochin.

Then there is this aquarium, which always goes with the fisheries education. It is not an easy thing to establish an aquarium. It cost us lakhs of rupees. The Bombay aquarium which the donor had given, and now the Government have added to it, must have cost them not less than Rs. 25 lakhs. From the practical viewpoint, Cochin must have also some kind of an institute, whatever you may call it and Bombay also must have one. When I have got two types of institutions—both costing us Rs. 80 lakhs to Rs. 1 crore to begin with; their cost will be more as they develop—which to locate where? That is the question. If this institution of

the district officers is located at Cochin, it will take a long time even to make the beginning. That is why the committee unanimously recommended that if ultimately the institute is to start in Cochin, a beginning should be made in Bombay, because the educational facilities are easily available. May I ask, in all humility and my friends will bear with me, could I start something as a temporary measure in Bombay and then bring it to Cochin, while there is a possibility of establishing a more important institute in Cochin? I have got two institutes of the same magnitude, costing us the same thing. I do not understand what is sacrosanct in the institute of district officers and that is regarded as something better. I thought as a practical man, I am doing no harm whatsoever.

Shri A. K. Gopalan: May I know the meaning of the answer given by the hon. Minister? The answer was that in Bombay it will be located temporarily and then it will be shifted to Cochin.

Shri S. K. Patil: That is true. That is the expert Committee's recommendation.

Shri A. K. Gopalan: It is your answer.

Shri S. K. Patil: Yes, the answer was also given. But was it not the same answer by the same Minister for the same question? I am thinking of having two institutions in two places and I gave it more than once on the floor of the House. Therefore, you can judge me. That is not the question. If for the sake of argument they say "No, let the institute be here and the personnel institute be at Bombay" that is also a solution. I do not say that is not a solution. I do not disagree with you. I was thinking that it should be in Bombay for a year or two until the facilities are available in Cochin for the educational institute. Now the question is that the money is ready, the help has come from the foreign countries, the technicians and experts have come and they have suggested that it should be started in Bombay as a temporary measure.

Having started it there and knowing the keenness of both Maharashtra and Cochin, I have come to the right decision to which my hon. friend, Shri Warior, would also have come to if he were in my shoes. There is no difference at all about the setting up of the institutions. Two States are equally anxious that they should be located in the two States which are known for fisheries. Because some other questions have come . . .

Shri A. K. Gopalan: There is some misunderstanding. We have been made to understand from the very beginning that the committee's report is in favour of Cochin but because there are not enough facilities there, for the time being, it will be established in Bombay and then it will be shifted back to Cochin.

Mr. Deputy-Speaker: Was an assurance given that there will be two institutions and both will be at Cochin?

Shri A. K. Gopalan: No. It was stated that this will be located at Cochin. Then we put the question "Why was it established at Bombay?" It was stated in answer on the floor of the House that it will be located at Cochin. Now he says "I did not say that; we will establish one institution in Cochin and the other elsewhere". Till then we were given to understand that the best place is Cochin but since there are certain initial difficulties it will temporarily be located in Bombay and then shifted to Cochin. That is what we have been told till now.

Shri S. K. Patil: That is not an assurance. That is exactly what the report says. Therefore, it is not an assurance.

Shri A. K. Gopalan: I am not referring to the report. I am referring to the reply in Parliament to Question No. 84.

Shri S. K. Patil: That is true. I am not denying it. And if you want to know something more of it, because I can take the House into confidence, that created some anxiety in Cochin

because their demand was not satisfied. It would be wrong on my part to do anything which will be going against the wishes of Cochin. It was located in Bombay as a temporary measure. Then, because it would be a good thing, the Government of Maharashtra came into the picture. The difficulty is that just like the Cochin or Kerala Government have read the report, in the same way the Maharashtra Government have also read the report. They said "if there is no place available at present, please locate it in our place". Now they are also equally anxious for this institute.

The point before us is this: should we wait for a year or two years until the educational facilities are created in Cochin in order that the institute should be set up there and ask those who have given us funds etc. to wait for some time or should we go ahead with the programme, at least temporarily locating it at some other place? So, knowing the keenness of the Kerala Government for this, I thought that I should accept the assistance from the foreign country and locate it temporarily in Bombay and then shift it to Cochin when Cochin has got enough facilities for that.

Shri C. K. Nair (Outer Delhi): May I put . . .

Shri S. K. Patil: I am not yielding, because Delhi has no fisheries.

Shri C. K. Nair: The point is that a more developed city could develop things quickly whereas a backward area takes a long time. Bombay is already very much developed.

Shri S. K. Patil: That is an argument.

Mr. Deputy-Speaker: Now he is going to make a speech.

Shri C. K. Nair: Then the next question is . . .

Shri S. K. Patil: There is no question at all. If Bombay for that reason is disqualified, Cochin is also equally disqualified.

Shri A. K. Gopalan: How?

Shri S. K. Patil: Because, there are smaller places than Cochin where these things could be established.

What I am saying is that it is creating a controversy out of something which really does not call for a controversy. As I have said, both institutes are there. We are prepared to do that and spend the same amount of money. It is not that we are doing so specially. It is a coincidence that they will cost the same amount of money. I categorised as to what the activities of that operatives training institute are, like what Cochin is doing today. That institute is more suitable for that place because the one at Bombay is only for higher education for which Bombay has got the facilities.

I can assure the House and hon. friends from Kerala that I would not

make myself responsible for any injustice at all. I have had no hand in it. These things had been done long before I took over charge and so on and so forth. So far as the second institution and expediting it are concerned, so that Kerala should have the advantage of that institute, it is a thing which, as I said, is in the larger interests of Kerala and in the national interest and for which I am responsible

Shri Warior rose—

Mr. Deputy-Speaker: The House stands adjourned to meet again at 11 o'clock on Wednesday, the 21st December, 1960.

17.56 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 21st December, 1960|Agrahayana 30, 1882 (Saka).

[Tuesday, December 20, 1960 / *Agrahayana* 29, 1882 (*Saka*)]

COLUMNS	
Member sworn	6381-82
ORAL ANSWERS TO QUESTIONS	6382-6426

U.S.Q. No.	Subject	COLUMNS
998.	Sangeet Natak Akademi	6382-86
999.	Tax on charitable trusts	6386-88
1000.	Abolition of Double Member Constituencies	6388-90
1001.	Scheme for Nationalization of Banks	6390-94
1002.	Reports of Public Undertakings	6394-95
1003.	Estimates of refineries	6396-98
1005.	Coal supply to Andhra Pradesh	6399-6404
1006.	Iron and Steel shortage	6405-11
1007.	Export of furnace oil	6411-13
1008.	Home Minister's visit to Assam	6413-15

S.N.Q. No.	Subject	COLUMNS
5.	Siezure of Chinese literature	6415-17
6.	Medium of instruction in Delhi University	6417-22
7.	Chairman, University Grants Commission	6422-26

WRITTEN ANSWERS TO QUESTIONS 6426-76

S.Q. No.	Subject	COLUMNS
1004.	Coal washeries	6426
1009.	Army Officers' Contributory Education Fund	6427
1010.	Archaeological excavations	6427-28
1011.	Cars given as gifts	6428
1012.	Import of special steel	6428-29
1013.	National Archives	6429
1014.	Coal shortage	6429-30
1015.	Refinery in Gujerat	6430
1016.	Directors of Palai Bank	6430-31
1017.	Prices of cartridges and other ammunition	6431-32
1018.	Distribution of kerosene oil	6432
1019.	National Coal Development Corporation	6432-33
1020.	Noise survey in Delhi and Bombay	6433
1021.	Supersonic aircrafts	6434

WRITTEN ANSWERS TO QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
1022.	Service conditions of LIC employees	6434
1023.	"Atomic Time-Clock"	6434-35
1024.	University Libraries for Public	6435
1025.	Exchange of scholars between China and India	6435
1026.	Ex-army pensioners in Defence establishments	6435-36
U.S.Q. No.	Subject	COLUMNS
2048.	S.C. and S.T. in Madhya Pradesh	6436-37
2049.	Mining leases	6437
2050.	Iron sheets for Uttar Pradesh	6438
2051.	Children's Book Trust	6438
2052.	Tagore Birthday Centenary Celebrations	6438-39
2053.	Archaeological excavations at Nagarjunakonda	6439-40
2054.	Housing Schemes for Scheduled Castes in Mysore State	6440
2055.	Welfare of Scheduled Castes in Mysore	6441
2056.	Untouchability Offences-Act	6441
2057.	Defence Ministry land in Jubbulpore	6441
2058.	Steel allotted to Mysore State	6442
2059.	Aid to Sanskrit Organisations in Mysore	6442
2060.	Amarpur-Udaipur road	6442-43
2061.	Tripura Territorial Council	6443
2062.	Gambling in Delhi	6443-44
2063.	Banaras Hindu University	6444
2064.	Abduction cases in Delhi	6444
2065.	Estate Duty	6444
2066.	Crimes in Himachal Pradesh	6445
2067.	Education in Punjab	6445
2068.	High Schools in Delhi	6446
2069.	Pay-scales of the Members of Central Information Service	6446
2070.	Election petition	6447

WRITTEN ANSWERS TO
QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
2071.	Indian Companies in Pakistan . . .	6447
2072.	Pay-scales of teachers . . .	6447-48
2073.	Wind Power . . .	6448-49
2074.	Cantonments . . .	6449-50
2075.	Films on music education . . .	6450
2076.	Education of tribal children in mother tongue. . .	6450-51
2077.	Research on causes of social tension . . .	6451-52
2078.	Anti-social elements . . .	6452
2079.	Refund week observed by Income-tax Deptt. . .	6452
2080.	Indian students in U.K. and U.S.A. . . .	6453
2081.	Ex-rulers . . .	6453
2082.	Smuggling of <i>Gauna</i> near Nepal border . . .	6454
2083.	Mineral wealth of Punjab . . .	6454-55
2084.	Assistant Commissioners for S.C. and S.T. . .	6455
2085.	Andaman and Nicobar Islands . . .	6455-56
2086.	Smuggling of watches . . .	6456
2087.	Asoka Pillar at Amarawati . . .	6457
2088.	National Council of University students in India . . .	6457
2089.	Distribution, storage and unloading of petroleum products . . .	6457-58
2090.	1961 Census . . .	6458-59
2091.	Central Government employees receiving training in Hindi Typing and Short-hand . . .	6459
2092.	Petitions from Class IV employees . . .	6460
2093.	Technical terminology . . .	6460-61
2094.	Bennett Coleman & Co., Delhi . . .	6461-62
2095.	Kerala High Court . . .	6462
2096.	A.G.C.R. Office . . .	6462
2097.	Fine on cyclists in Delhi. . .	6463-64
2098.	Purchase of Helicopters . . .	6464
2099.	Survey of Nepal . . .	6464-65
2100.	Sale of copra and betelnuts . . .	6465-66
2101.	Dearness allowance for teachers . . .	6466
2102.	Chinese arrested under Foreigners Act . . .	6466
2103.	Radio-phone link . . .	6466-67

WRITTEN ANSWERS TO
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2104.	Science teachers in Government Girls Higher Secondary Schools, Delhi . . .	6467
2105.	Teachers in Delhi Education Directorate . . .	6467-68
2106.	Search for fishermen in Bay of Bengal . . .	6468
2107.	Non-resident students centres . . .	6468-70
2108.	"Abadi" areas in Delhi villages . . .	6470
2109.	Oil prospecting with foreign collaboration . . .	6470-71
2110.	Rat menace in Tripura . . .	6471
2111.	Repayment of loan by Joo-mias in Tripura . . .	6471-72
2112.	Implementation of Pay Committee recommendations in Tripura . . .	6472
2113.	Revenue collections in Madras State . . .	6472-73
2114.	Ancient monuments . . .	6473
2115.	Tenth Report of Law Commission . . .	6473-74
2116.	Census . . .	6474-75
2117.	American Coal Mission . . .	6475
2118.	Manipur Police . . .	6475-76
2119.	Grants to Educational Institutions in Punjab . . .	6476
2120.	Scientific Research in Punjab University . . .	6476
2121.	S.C. and S.T. Welfare in Himachal Pradesh and Punjab . . .	6476

PAPERS LAID ON THE
TABLE 6477

(1) A copy of the Report of the Indian Delegation to the Fifteenth Annual Meeting of the Boards of Governors of the International Monetary Fund and International Bank for Reconstruction and Development and the Fourth Annual Meeting of the Board of Governors of the International Finance Corporation.

(2) A copy of Notification No. G.S.R. 1456 dated the 10th December, 1960 making certain amendment to the Coal Mines (Conservation and Safety) Rules, 1954, under

PAPERS LAID ON THE
TABLE—*contd.*

COLUMNS

sub-section (4) of Section 17 of the Coal Mines (Conservation and Safety) Act, 1952.

- (3) A copy of Notification No. G.S.R. 1459 dated the 10th December, 1960 containing corrigendum to the Mineral Concession Rules, 1960, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957.

REPORT OF ESTIMATES
COMMITTEE PRESENTED

6477-78

Ninety-ninth Report was presented.

CALLING ATTENTION TO
MATTER OF URGENT
PUBLIC IMPORTANCE .

6478-79

Shri Dasaratha Deb called the attention of the Minister of Home Affairs to the situation arising out of the offensive reported to have been launched by Jotedars against 'Kurfa' sub-tenants at Baisnabpur in Tripura.

The Minister of Home Affairs (Shri G.B. Pant) laid on the Table a statement in regard thereto.

STATEMENT BY MINISTER

6479

On behalf of the Prime Minister the Minister of Home Affairs (Shri G. B. Pant) made a statement on the situation in Laos.

BILLS PASSED . . . 6480-6610

- (1) The Acquired Territories (Merger) Bill, 1960.
(2) The Constitution (Ninth Amendment) Bill, 1960.

Further discussion on the motions for consideration of the two Bills and the amendments for circulation of the Bills for the purpose of eliciting opinion thereon, moved on the 19th December, 1960, continued.

The amendment for circulation of the Acquired Territories (Merger) Bill for the purpose of eliciting opinion

BILLS PASSED—*contd.*

COLUMNS

thereon was negatived and the the motion to consider the Acquired Territories (Merger) Bill was adopted. After clause-by-clause consideration the Bill was passed.

On the amendment for circulation of the Constitution (Ninth Amendment) Bill for the purpose of eliciting opinion thereon, Lok Sabha divided, Ayes 44 ; Noes 328. The amendment was accordingly negatived.

On the motion to consider the Constitution (Ninth Amendment) Bill Lok Sabha divided, Ayes 333 ; Noes 53. The motion was accordingly adopted. Lok Sabha also divided on :

- (1) Clause 2, Ayes 333 ; Noes 52.
(2) Clause 3, Ayes 332 ; Noes 47.
(3) First Schedule, Ayes 330 ; Noes 46.
(4) Second Schedule, Ayes 329 ; Noes 46.

Clauses 2 and 3, the First and Second Schedules were accordingly adopted.

On the motion to pass the Constitution (Ninth Amendment) Bill, Lok Sabha divided, Ayes 328 ; Noes 47, the motion was accordingly adopted and the Bill was passed.

HALF-AN-HOUR DISCUSSION . . . 6610-28

Shri Warrior raised a half-an-hour discussion on points arising out of the answer given on the 1st December, 1960 to Starred Question No. 606 regarding Central Institute of Fisheries Education.

The Minister of Food and Agriculture (Shri S.K. Patil) replied to the debate.

AGENDA FOR WEDNESDAY,
DECEMBER 21, 1960/AGR-
AHAYANA 30, 1882
(SAKA)—

Consideration and passing of
the Industrial Finance Cor-
poration (Amendment) Bill,
discussion on Motion *re.*
Report of Intermediate Ports
Development Committee and

AGENDA FOR WEDNESDAY,
DECEMBER 21, 1960/AGR-
AHAYANA 30, 1882
(SAKA)—*contd.*

discussion regarding the
appointment of Shri A. K.
Chanda, former Comptroller
and Auditor-General as
Chairman, Finance Com-
mission.
